Eng.d by K. Mackenzie from a Drawing by Denholm.

Dr. Robertson.

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THE

HISTORY

OF

SCOTLAND,

DURING THE REIGNS OF

QUEEN MARY, AND KING JAMES VI.

TILL

HIS ACCESSION TO THE CROWN OF ENGLAND.

WITH

A REVIEW of the SCOTTISH HISTORY previous to that Period;

And an APPENDIX containing ORIGINAL PAPERS.

BY WILLIAM ROBERTSON, D.D.

LATE PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

IN THREE VOLUMES.

VOL. I.

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1800.

THE

AUTHOR'S PREFACE.

I DELIVER this book to the world with all the diffidence and anxiety natural to an Author on publiſhing his firſt performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, till it be known whether that approbation ſhall ever be beſtowed upon it.

But as I have departed, in many inſtances, from former Hiſtorians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the diſtance of two centuries, I preſume to contradict the teſtimony of cotemporary, or of leſs remote Hiſtorians.

The tranſactions in Mary's reign gave riſe to two parties, which were animated againſt each other with the fierceſt political hatred, embittered by religious zeal. Each of theſe produced Hiſtorians of conſiderable merit, who adopted all their ſentiments, and defended all their actions. Truth, however, was not the ſole object of theſe Authors. Blinded by prejudices, and heated by the part which they themſelves had acted in the ſcenes they deſcribe, they wrote an apology for a faction, rather than the hiſtory of their country. Succeeding hiſtorians have followed theſe guides almoſt implicitly, and have repeated their errors and miſrepreſentations. But as the ſame paſſions which inflamed parties in that age have deſcended to their poſterity; as

almoſt every event in Mary's reign has become the object of doubt, or of diſpute; the eager ſpirit of controverſy ſoon diſcovered, that without ſome evidence more authentic and more impartial than that of Hiſtorians, none of the points in queſtion could be decided with certainty. Records have therefore been ſearched, original papers have been produced, and public archives, as well as the repoſitories of private men, have been ranſacked by the zeal and curioſity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted ſo conſpicuous a part, hath provided ſuch an immenſe ſtore of original papers for illuſtrating this part of the Engliſh and Scottiſh hiſtory, as are almoſt ſufficient to ſatisfy the utmoſt avidity of an Antiquarian. Sir Robert Cotton (whoſe library is now the property of the public) made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the Cabbala, Anderſon, Keith, Haynes, and Forbes, have drawn moſt of the papers which they have printed. No hiſtory of Scotland, that merits any degree of attention, has appeared ſince theſe collections were publiſhed. By conſulting them, I have been enabled, in many inſtances, to correct the inaccuracies of former Hiſtorians, to avoid their miſtakes, and to detect their miſrepreſentations.

But many important papers have eſcaped the notice of thoſe induſtrious collectors, and after all they have produced to light, much ſtill remained in darkneſs, unobſerved or unpubliſhed. It was my duty to ſearch for theſe, and I found this unpleaſant taſk attended with conſiderable utility.

The library of the honourable Faculty of Advocates at Edinburgh, contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no leſs curious, which have been preſerved by Sir Robert Cotton, or are extant in the public offices in England. Of all theſe, the Curators of that library were pleaſed to allow me the peruſal.

Though the Britiſh Muſeum be not yet open to the

public, Dr. Birch, whoſe obliging diſpoſition is well known, procured me acceſs to that noble collection, which is worthy the magnificence of a great and poliſhed nation.

That vaſt and curious collection of papers relating to the reign of Elizabeth, which was made by Dr. Forbes, and of which he publiſhed only two volumes, having been purchaſed, ſince his death, by the Lord Viſcount Royſton, his Lordſhip was ſo good as to allow me the uſe of fourteen volumes in quarto, containing that part of them which is connected with my ſubject.

Sir Alexander Dick communicated to me a very valuable collection of original papers, in two large volumes. They relate chiefly to the reign of James. Many of them are marked with Archbiſhop Spotſwood's hand; and it appears from ſeveral paſſages in his hiſtory, that he had peruſed them with great attention.

Mr. Calderwood, an eminent Preſbyterian Clergyman of the laſt century, compiled an hiſtory of Scotland, from the beginning of the reign of James V. to the death of James VI. in ſix large volumes; wherein he has inſerted many papers of conſequence, which are no where elſe to be found. A copy of this hiſtory, which ſtill remains in manuſcript, in the poſſeſſion of the Church of Scotland, was put into my hands by my worthy friend, the Reverend Mr. George Wiſhart, principal Clerk of the Church.

Sir David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's conſpiracy; but by explaining to me his ſentiments with regard to that problematical paſſage in the Scottiſh hiſtory, has enabled me to place that tranſaction in a light which diſpels much of the darkneſs and confuſion in which it has been hitherto involved.

Mr. Goodall, though he knew my ſentiments with regard to the conduct and character of Queen Mary to be extremely different from his own, communicated to me a volume of manuſcripts in his poſſeſſion, which contains a great number of valuable papers, copied

from the originals in the Cottonian Library and Paper Office, by the late Reverend Mr. Crawford, Regius Profeſſor of Church Hiſtory in the univerſity of Edinburgh. I likewiſe received from him the original Regiſter of Letters kept by the Regent Lennox during his adminiſtration.

I have conſulted all theſe papers as far as I thought they could be of any uſe towards illuſtrating that period of which I write the hiſtory. With what ſucceſs I have employed them to confirm what was already known, to aſcertain what was dubious, or to determine what was controverted, the public muſt judge.

I might eaſily have drawn from the different repoſitories to which I had acceſs, as many papers as would have rendered my Appendix equal in ſize to the moſt bulky collection of my predeceſſors. But I have ſatisfied myſelf with publiſhing a few of the moſt curious among them, to which I found it neceſſary to appeal as vouchers for my own veracity. None of theſe, as far as I can recollect, ever appeared in any former collection.

I have added to the Appendix a *Critical Diſſertation concerning the murder of King Henry, and the genuineneſs of the Queen's letters to Bothwell.* The facts and obſervations which relate to Mary's letters, I owe to my friend, Mr. John Davidſon, one of the Clerks to the Signet, who hath examined this point with his uſual acuteneſs and induſtry.

THE

HISTORY

OF

SCOTLAND.

BOOK FIRST.

CONTENTS.

The origin of the Scots. The peculiar obſcurity of their hiſtory. Four remarkable æras. A review of the national hiſtory from the death of Alexander III. to the acceſſion of Mary. General cauſes which limited the power of a feudal monarch. Peculiar force of the Scottiſh ariſtocracy, Its cauſes. Efforts to extend the royal authority. James I. James II. James III. James IV. James V. His death. Extraordinary influence of the Scottiſh kings in parliament. Extreme inſignificancy of public ſtatutes. State of Europe at the beginning of the 16th century. Francis I. Charles V. Their characters. Henry VIII. His plan of conduct in the affairs of Scotland.

THE firſt ages of the Scottiſh hiſtory are dark and fabulous. Nations, as well as men, arrive at maturity by degrees, and the events, which happened during their infancy or early youth, cannot be recollected, and deſerve not to be remembered. The groſs ignorance which anciently covered all the North of Europe, the continual migrations of its inhabitants, and the frequent and deſtructive revolutions which theſe occaſioned, render it impoſſible to give any authentic account of the origin of the different kingdoms now eſtabliſhed there. Every thing beyond that ſhort period to which well at-

teſted annals reach, is obſcure; an immenſe ſpace is left for invention to occupy; each nation, with a vanity inſeparable from human nature, hath filled that void with events calculated to diſplay its own antiquity and luſtre. An hiſtory, which ought to record truth and to teach wiſdom, often ſets out with retailing fictions and abſurdities.

The Scots carry their pretenſions to antiquity as high as any of their neighbours. Relying upon uncertain legends, and the traditions of their bards, ſtill more uncertain, they reckon up a ſeries of kings ſeveral ages before the birth of Chriſt, and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern nations, we receive the earlieſt accounts on which we can depend, not from their own, but from the Roman authors. When the Romans, under Agricola, firſt carried their arms into the northern parts of Britain, they found it poſſeſſed by the Caledonians, a fierce and warlike people; and having repulſed, rather than conquered them, they erected a ſtrong wall between the friths of Forth and Clyde, and there fixed the boundaries of their empire. Adrian, on account of the difficulty of defending ſuch a diſtant frontier, contracted the limits of the Roman province in Britain, by building a ſecond wall, which ran between Newcaſtle and Carliſle. The ambition of ſucceeding emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans, and the Caledonians. About the beginning of the 5th century, the inroads of the Goths and other barbarians obliged the Romans, in order to defend the centre of their empire, to recal thoſe legions which guarded the frontier provinces, and at that time they quitted all their conqueſts in Britain.

Their long reſidence in the iſland had poliſhed, in ſome degree, the rude inhabitants, and the Britons were indebted to their intercourſe with the Romans for the art of writing and the uſe of numbers, without which it is impoſſible long to preſerve the memory of paſt events.

North Britain was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author, before the end of the 4th century were probably a colony of Celtæ, or Gauls; their affinity to whom appears from their language, their manners, and religious rites; circumſtances more deciſive, with regard to the origin of nations, than either fabulous traditions, or the tales of ill-informed and credulous annaliſts. The Scots, if we may believe the common accounts, ſettled at firſt in Ireland; and, extending themſelves by degrees, landed at laſt on the coaſts oppoſite to that iſland, and fixed their habitations there. Fierce and bloody wars were, during ſeveral ages, carried on between them and the Picts. At length Kenneth II. the ſixty-ninth king of the Scots (according to their own fabulous authors) obtained a complete victory over the Picts, and united under one monarchy, the whole country, from the wall of Adrian, to the northern ocean. And his kingdom became known by its preſent name, which it derived from a people at firſt ſettled there as ſtrangers, and remained long obſcure and inconſiderable.

From this period, the hiſtory of Scotland would merit ſome attention, were it accompanied with any certainty. But as our remote antiquities are involved in the ſame darkneſs with thoſe of other nations, a calamity peculiar to ourſelves has thrown almoſt an equal obſcurity over our more recent tranſactions. This was occaſioned by the malicious policy of Edward I. of England. Towards the end of the 13th century, this monarch called in queſtion the independency of Scotland; pretending that that kingdom was held as a fief of the crown of England, and ſubjected to all the conditions of a feudal tenure. In order to eſtabliſh his claim, he ſeized the public archives, he ranſacked churches and monaſteries, and getting poſſeſſion, by force or fraud, of many hiſtorical monuments, that tended to prove the antiquity or freedom of the kingdom, he carried ſome of them into England, and com-

manded the reſt to be burned*. An univerſal oblivion of paſt tranſactions might have been the effect of this fatal event, but ſome imperfect chronicles had eſcaped the rage of Edward; foreign writers had recorded ſome important facts relating to Scotland; and the traditions concerning recent occurrences were freſh and worthy of credit. Theſe broken fragments, John de Fordun, who lived in the 14th century, collected with a pious induſtry, and from them picked out materials, which he formed into a regular hiſtory. His work was received by his countrymen with applauſe; and as no recourſe could be had to more ancient records, it ſupplied the place of the authentic annals of the kingdom. It was copied in many monaſteries, and the thread of the narrative was, by different monks, continued through the ſubſequent reigns. In the beginning of the 16th century, John Major and Hector Boethius publiſhed their hiſtories of Scotland, the former a ſuccinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the ſame work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his taſte, and to the purity and vigour of his ſtyle, his hiſtory might be placed on a level with the moſt admired compoſitions of the ancients. But, inſtead of rejecting the improbable tales of chronicle writers, he was at the utmoſt pains to adorn them; and hath clothed with all the beauties and graces of fiction, thoſe legends, which formerly had only its wildneſs and extravagance.

The hiſtory of Scotland may properly be divided into four periods. The firſt reaches from the origin of the monarchy, to the reign of Kenneth II. The ſecond, from Kenneth's conqueſt of the Picts, to the death of Alexander III. The third extends to the death of James V. The laſt, from thence to the acceſſion of James VI. to the crown of England.

The firſt period is the region of pure fable and con-

* Innes, Eſſay 552.

jecture, and ought to be totally neglected, or be abandoned to the induſtry and credulity of antiquaries. Truth begins to dawn in the ſecond period, with a light, feeble at firſt, but gradually increaſing; and the events which then happened, may be ſlightly touched, but merit no particular or laborious inquiry. In the third period, the hiſtory of Scotland, chiefly by means of records preſerved in England, becomes more authentic: not only are events related, but their cauſes and effects explained; the characters of the actors are diſplayed; the manners of the age deſcribed; the revolutions in the conſtitution pointed out; and here every Scotſman ſhould begin, not only to read, but to ſtudy the hiſtory of his country. During the fourth period, the affairs of Scotland were ſo mingled with thoſe of other nations, its ſituation in the political ſtate of Europe was ſo important, its influence on the operations of the neighbouring kingdoms was ſo viſible, that its hiſtory becomes an object of attention to foreigners, and without ſome knowledge of the various and extraordinary revolutions which happened there, they cannot form a juſt notion either of the moſt illuſtrious events, or of the character of the moſt diſtinguiſhed perſonages in the 16th century.

The following hiſtory is confined to the laſt of theſe periods. To give a view of the political ſtate of the kingdom, during that which immediately preceded it, is the deſign of this preliminary book. The imperfect knowledge which ſtrangers have of the affairs of Scotland, and the prejudices Scotſmen themſelves have imbibed with regard to the various revolutions in the government of their country, rendered ſuch an introduction equally neceſſary to both.

The period, from the death of Alexander III. to the death of James V. contains upwards of two centuries and an half, from the year 1286, to the year 1542.

It opens with the famous controverſy concerning the independency of Scotland, before the union of the two kingdoms, this was a queſtion of much importance. If the one crown had been conſidered not as imperial and

independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage which the dependent kingdom procured, muſt have been eſteemed the conceſſion of a ſovereign to his vaſſal. Accordingly, about the beginning of the preſent century, and while a treaty of union between the two kingdoms was on foot, this controverſy was agitated with all the heat, which national animoſities naturally inſpire. What was then a ſubject of ſerious concern, the union of the two kingdoms hath rendered a matter of mere curioſity. But though the objects, which at that time warned and intereſted both nations, exiſt no longer, a queſtion, which appeared ſo momentous to our anceſtors, cannot be altogether indifferent or uninſtructive to us.

Some of the northern counties of England were early in the hands of the Scottiſh kings, who, as far back as the feudal cuſtoms can be traced, held theſe poſſeſſions of the kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in noways derogatory from the royal dignity. Nothing is more ſuitable to feudal ideas, than that the ſame perſon ſhould be both a lord and a vaſſal, independent in one capacity, and dependent in another*. The crown of England

* A very ſingular proof of this occurs in the French hiſtory.—Arpin ſold the *viſcompte* of the city of Bourges to Philip I. who did homage to the count of Sancerre for a part of theſe lands, which held of that nobleman, A.D. 1100. I believe that no example of a king's doing homage to one of his own ſubjects is to be met with in the hiſtories either of England or Scotland. Philip le Bell aboliſhed this practice in France, A.D. 1302. Henaut. Abrege Chron. Somewhat ſimilar to this, is a charter of the abbot of Melroſs, A.D. 1535, conſtituting James V. the bailiff or ſteward of that abbey, veſting in him all the powers which pertained to that office, and requiring him to be anſwerable to the abbot for his exerciſe of the ſame. Archiv. publ. Edin.

was, without doubt, imperial and independent, though the princes who wore it were, for many ages, the vaſſals of the kings of France; and, in conſequence of their poſſeſſions in that kingdom, bound to perform all the ſervices, which a feudal ſovereign has a title to exact. The ſame was the condition of the monarchs of Scotland, free and independent as kings, but, as poſſeſſing Engliſh territories, vaſſals to the king of England. The Engliſh monarchs, content with their legal and uncontroverted rights, were neither capable, nor had any thoughts of uſurping more. England, when conquered by the Saxons, being divided by them into many ſmall kingdoms, was in no condition to extend its dominion over Scotland, united at that time under one monarch. And though theſe petty principalities were gradually formed into one kingdom, the reigning princes, expoſed to continual invaſions of the Danes, and often ſubjected to the yoke of theſe formidable pirates, ſeldom turned their arms towards Scotland, and were utterly incapable of eſtabliſhing new rights in that country. The firſt kings of the Norman race, buſied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themſelves on the throne, which ſome of them poſſeſſed by a very dubious title, were as little anxious to acquire new authority, or to form new pretenſions in Scotland. An unexpected calamity that befel one of the Scottiſh kings firſt encouraged the Engliſh to think of bringing his kingdom under dependence. William*, king of Scotland, being taken priſoner at Alnwick, Henry II. as the price of his liberty, not only extorted from him an exorbitant ranſom and a promiſe to ſurrender the places of greateſt ſtrength, but compelled him to do homage for his whole kingdom. Richard I. a generous prince, ſolemnly renounced the claim of this homage, and abſolved William from the hard conditions which Henry had impoſed. Upon the death of Alexander III. near a century after, Edward I. availing

* Sirnamed the Lion.

himſelf of the ſituation of affairs in Scotland, acquired an influence in that kingdom, which no Engliſh monarch before him ever poſſeſſed, and imitating the intereſted policy of Henry, rather than the magnanimity of Richard, revived the claim of ſovereignty to which the former had pretended.

Margaret of Norway, grand-daughter of Alexander, and heir to his crown, did not long ſurvive him. The right of ſucceſſion belonged to the deſcendents of David, earl of Huntington, third ſon of David I. Among theſe, Robert Bruce and John Baliol, two illuſtrious competitors for the crown, appeared. Bruce was the ſon of Iſabel, earl David's ſecond daughter; Baliol, the grand-ſon of Margaret, the eldeſt daughter. According to the rules of ſucceſſion which are now eſtabliſhed, the right of Baliol was preferable, and, notwithſtanding Bruce's plea of being nearer in blood to earl David, Baliol's claim, as the repreſentative of his mother and grand-mother, would be deemed inconteſtible. But, in that age, the order of ſucceſſion was not aſcertained with the ſame preciſion. The queſtion appeared to be no leſs intricate, than it was important. And though the prejudices of the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals were ſupported by a powerful faction. Arms alone, it was feared, muſt terminate a diſpute too weighty for the laws to decide. But, in order to avoid the miſeries of a civil war, Edward was choſen umpire, and both parties agreed to acquieſce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerneſs to guard againſt a civil war, was not only expoſed to that calamity, but almoſt ſubjected to a foreign yoke. Edward was artful, brave, enterprizing, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to ſacrifice their country in order to obtain even a dependent crown, invited him firſt to ſeize, and then to ſubject the kingdom. The authority of an umpire, which had been unwarily beſtowed upon

him, and from which the Scots dreaded no dangerous conſequences, enabled him to execute his ſchemes with the greater facility. Under pretext of examining the queſtion with the utmoſt ſolemnity, he ſummoned all the Scottiſh barons to Norham, and having gained ſome, and intimidated others, he prevailed on all who were preſent, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland a fief of the Engliſh crown, and to ſwear fealty to him, as their *ſovereign*, or *lieve lord*. This ſtep led to another ſtill more important. As it was vain to pronounce a ſentence which he had not power to execute, Edward demanded poſſeſſion of the kingdom, that he might be able to deliver it to him whoſe right ſhould be found preferable. And, ſuch was the puſillanimity of the nobles, and the impatient ambition of the competitors, that both aſſented to this ſtrange demand, and Gilbert de Umphraville, earl of Angus, was the only man, who refuſed to ſurrender the caſtles in his cuſtody to the enemy of his country. Edward, finding Baliol the moſt obſequious and the leaſt formidable of the two competitors, ſoon after gave judgment in his favour. Baliol once more profeſſed himſelf the vaſſal of England, and ſubmitted to every condition, which the ſovereign whom he had now acknowledged was pleaſed to preſcribe.

Edward having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reaſon to conclude that his dominion was now fully eſtabliſhed. But he began too ſoon to aſſume the maſter; his new vaſſals, fierce and independent, bore with impatience a yoke to which they were not accuſtomed. Provoked by his haughtineſs, even the paſſive ſpirit of Baliol began to mutiny. But Edward, who had no longer uſe for ſuch a pageant king, forced him to reſign the crown, and openly attempted to ſeize it, as fallen to himſelf by the rebellion of his vaſſal. At that critical period aroſe Sir William Wallace, a hero, to whom the fond admiration of his countrymen hath aſcribed many fabulous

acts of proweſs, though his real valour, as well as integrity and wiſdom, is ſuch as needs not the heightenings of fiction. He, almoſt ſingle, ventured to take arms in defence of the kingdom, and his boldneſs revived the ſpirit of his countrymen. At laſt, Robert Bruce, the grandſon of him who ſtood in competition with Baliol, appeared to aſſert his own rights, and to vindicate the honour of his country. The nobles, aſhamed of their former baſeneſs, and enraged at the many indignities offered to the nation, crowded to his ſtandard. In order to cruſh him at once, the Engliſh monarch entered Scotland at the head of a mighty army. Many battles were fought, and the Scots, though often vanquiſhed, were not ſubdued. The ardent zeal with which the nobles contended for the independency of the kingdom, the prudent valour of Bruce, and above all a national enthuſiaſm inſpired by ſuch a cauſe, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his ſubjects. And though the war continued with little intermiſſion upwards of ſeventy years, Bruce and his poſterity kept poſſeſſion of the throne of Scotland, and ruled with an authority not inferior to that of its former monarchs.

But while the ſword, the ultimate judge of all diſputes between contending nations, was employed to terminate this controverſy, neither Edward nor the Scots ſeemed to diſtruſt the juſtice of their cauſe; and both appealed to hiſtory and records, and from theſe produced, in their own favour, ſuch evidence, as they pretended to be unanſwerable. The letters and memorials addreſſed by each party to the pope, who was then reverenced as the common father, and often appealed to as the common judge of all Chriſtian princes, are ſtill extant. The fabulous tales of the early Britiſh hiſtory, the partial teſtimony of ignorant chroniclers, ſuppoſititious treaties and charters, are the proofs, on which Edward founded his title to the ſovereignty of Scotland; and the homage done by the Scottiſh monarchs for their lands in England, is prepoſterouſly ſup-

poſed to imply the ſubjection of their whole kingdom*. Ill-founded as their right was, the Engliſh did not fail to revive it in all the ſubſequent quarrels between the two kingdoms; while the Scots diſclaimed it with the utmoſt indignation. To this we muſt impute the fierce and implacable hatred to each other, which long inflamed both. Their national antipathies were excited, not only by the uſual circumſtances of frequent hoſtilities and reciprocal injuries, but the Engliſh conſidered the Scots as vaſſals who had preſumed to rebel, and the Scots, in their turn, regarded the Engliſh as uſurpers who aimed at enſlaving their country.

At the time when Robert Bruce began his reign in Scotland, the ſame form of government was eſtabliſhed in all the kingdoms of Europe. And the ſurpriſing ſimilarity in their conſtitution and laws demonſtrates that the nations which overturned the Roman empire, and erected theſe kingdoms, though divided into different tribes, and diſtinguiſhed by different names, were originally the ſame people. When we take a view of the feudal ſyſtem of laws and policy, that ſtupendous and ſingular fabric erected by them, the firſt object that ſtrikes us is the king. And when we are told that he is the ſole proprietor of all the lands within his dominions, that all his ſubjects derive their poſſeſſions from him, and in return conſecrate their lives to his ſervice; when we hear that all marks of diſtinction, and titles of dignity, flow from him, as the only fountain of honour; when we behold the moſt potent peers, on their bended knees, and with folded hands, ſwearing fealty at his feet, and acknowledging him to be their *ſovereign* and their *liege lord*, we are apt to pronounce him a powerful, nay an abſolute monarch. No concluſion, however, would be more raſh, or worſe founded. The genius of the feudal government was purely ariſtocratical. With all the enſigns of royalty,

* Anderſon's Hiſtorical Eſſay concerning the Independency, &c.

and with many appearances of deſpotic power, a feudal king was the moſt limited of all princes.

Before they ſallied out of their own habitations, to conquer the world, many of the northern nations ſeem to have been ſubject to the government of kings*; and even where monarchical government was eſtabliſhed, the prince poſſeſſed but little authority. A general, rather than a king, his military command was extenſive, his civil juriſdiction almoſt nothing†. The army which he led was not compoſed of ſoldiers, who could be compelled to ſerve, but of ſuch as voluntarily followed his ſtandard‡. Theſe conquered not for their leader, but for themſelves, and being free in their own country, renounced not their liberty when they acquired new ſettlements. They did not exterminate the ancient inhabitants of the countries which they ſubdued, but ſeizing the greater part of their lands, they took their perſons under protection. And the difficulty of maintaining a new conqueſt, as well as the danger of being attacked by new invaders, rendering it neceſſary to be always in a poſture of defence, the form of government which they eſtabliſhed was altogether military, and nearly reſembled that to which they had been accuſtomed in their native country. Their general ſtill continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of *beneficia*, or *fiefs*, was divided amongſt his principal officers. As the common ſafety required that theſe officers ſhould, upon all occaſions, be ready to appear in arms for the common defence, and ſhould continue obedient to their general, they bound themſelves to take the field, when called, and to ſerve him with a number of men, in proportion to the extent of their territory. Theſe great officers again parcelled out their lands among their followers, and annexed the ſame condition to the grant. A feudal kingdom was properly the encampment of a great army; mili-

* Cæſ. lib. vi. c. 23. † Tacit. de Mor. Germ. c. 7. 11.
‡ Cæſ. lib. vi. c. 23.

tary ideas predominated, military ſubordination was eſtabliſhed, and the poſſeſſion of land was the pay which ſoldiers received for their perſonal ſervice. In conſequence of theſe notions, the poſſeſſion of land was granted during pleaſure only, and kings were elective. In other words, an officer, diſagreeable to his general, was deprived of his pay, and the perſon who was moſt capable of conducting an army, was choſen to command it. Such were the firſt rudiments, or infancy of feudal government.

But long before the beginning of the 14th century, the feudal ſyſtem had undergone many changes, of which the following were the moſt conſiderable.—Kings, formerly elective, were then hereditary; and fiefs, granted at firſt during pleaſure, deſcended from father to ſon, and were become perpetual. Theſe changes, not leſs advantageous to the nobles than to the prince, made no alteration in the ariſtocratical ſpirit of the feudal conſtitution. The king, who, at a diſtance, ſeemed to be inveſted with majeſty and power, appears, on a nearer view, to poſſeſs none of theſe advantages, which beſtow on monarchs their grandeur and authority. His revenues were ſcanty, he had not a ſtanding army, and he enjoyed no proper juriſdiction.

At a time when pomp and ſplendor were unknown, even in the palaces of kings; when the officers of the crown received little ſalary beſides the fees and perquiſites of their office; when embaſſies to foreign courts were rare; when armies were compoſed of ſoldiers who ſerved without pay; it was not neceſſary that a king ſhould poſſeſs a great revenue; nor did the condition of Europe, in thoſe ages, allow its princes to be opulent. Commerce made little progreſs in the kingdoms, where the feudal government was eſtabliſhed. Inſtitutions, which had no other object but to inſpire a martial ſpirit, or to train men up to be ſoldiers, and to make arms the only honourable profeſſion, naturally diſcouraged the commercial arts. The revenues, ariſing from the taxes impoſed on the different branches of

commerce, were by conſequence inconſiderable, and the prince's treaſury received little ſupply from a ſource which, among a trading people, flows with ſuch abundance, and is almoſt inexhauſtible. A fixed tax was not levied even on land; ſuch a burthen would have appeared intolerable to men who received their eſtates as the reward of their valour, and who conſidered their ſervice in the field as a full retribution for what they poſſeſſed. The king's *demeſnes*, or the portion of land which he ſtill retained in his own hands unalienated, furniſhed ſubſiſtence to his court, and defrayed the ordinary expence of government*. The only ſtated taxes which the feudal law obliged vaſſals to pay to the king, or to thoſe of whom they held their lands, were three; one when his eldeſt ſon was made a knight; another when his eldeſt daughter was married; and a third in order to ranſom him if he ſhould happen to be taken a priſoner. Beſides theſe, the king received the feudal caſualties of the ward, marriage, &c. of his own vaſſals. And, on ſome extraordinary occaſions, his ſubjects granted him an aid, which they diſtinguiſhed by the name of a *benevolence*, in order to declare that he received it not in conſequence of any right, but as a voluntary gift, flowing from their good will†. All theſe added together produced a revenue ſcanty and precarious, which, far from enabling the king to attempt any thing that could excite the jealouſy or fear of the nobles, kept him in continual indigence, anxiety, and dependence.

Nor could the king ſupply the defect of his revenues by the terror of his arms. Mercenary troops and ſtanding armies were unknown as long as the feudal government ſubſiſted in vigour. Europe was peopled with ſoldiers. The vaſſals of the king, and the ſubvaſſals of the barons, were all obliged to carry arms. And while the poverty of princes prevented them from

* Craig. de Feud. lib. 1. Dieg. 14. Du Cange Gloſſ. voc. Dominicum.

† Du Cange voc. Auxilium.

fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army without pay, and with little discipline, was sufficient for all purposes, both for the security and glory of a nation. Such an army, however, far from being an engine at the king's disposal, was often no less formidable to him than to his enemies. The more warlike any people were, the more independent they became; and the same persons being both soldiers and subjects, civil privileges and immunities were the consequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their assistance. A prince, whom even war and victories did not render the master of his own army, possessed no shadow of military power during times of peace. His disbanded soldiers mingled with his other subjects; not a single man received pay from him; many ages elapsed before a guard was appointed to defend his person; and destitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Nor were these the only circumstances which contributed towards depressing the regal power. By the feudal system, the king's judicial authority was extremely circumscribed. At first, princes seem to have been the supreme judges of their people, and in person heard and determined all controversies among them. The multiplicity of causes soon made it necessary to appoint judges, who, in the king's name, decided matters that belonged to the royal jurisdiction. But the barbarians, who over-ran Europe, having destroyed most of the great cities, and the countries which they seized being cantoned out among powerful barons, who were blind-

ly followed by numerous vaſſals, whom, in return, they were bound to protect from every injury; the adminiſtration of juſtice was greatly interrupted, and the execution of any legal ſentence became almoſt impracticable. Theft, rapine, murder, and diſorder of all kinds prevailed in every kingdom of Europe, to a degree almoſt incredible, and ſcarce compatible with the ſubſiſtence of civil ſociety. Every offender ſheltered himſelf under the protection of ſome powerful chieftain, who ſcreened him from the purſuits of juſtice. To apprehend, and to puniſh a criminal, often required the union and effort of half a kingdom*. In order to

* A remarkable inſtance of this occurs in the following hiſtory, ſo late as the year 1561. Mary having appointed a court of juſtice to be held on the borders, the inhabitants of no leſs than eleven counties were ſummoned to guard the perſon who was to act as judge, and to enable him to enforce his deciſions. The words of a proclamation, which afford ſuch a convincing proof of the feebleneſs of the feudal government, deſerve our notice.—"And becauſe it is neceſſary for the execution of her highneſs' commandments and ſervice, that her juſtice be well accompanied, and her authority ſufficiently fortified, by the concurrence of a good power of her faithful ſubjects—Therefore commands and charges all and ſundry earls, lords, barons, freeholders, landed men, and other gentlemen, dwelling within the ſaid counties, that they, and every one of them, with their kin, friends, ſervants, and houſhold men, well bodin in the feir of war, in the moſt ſubſtantious manner, (i.e. completely armed and provided), and with twenty days victuals, to meet and to paſs toward him to the borough of Jedburgh, and there to remain during the ſaid ſpace of twenty days, and to receive ſuch direction and commands as ſhall be given by him to them, in our ſovereign lady's name, for the quietneſs of the country; and to put the ſame in execution, under the pain of loſing their life, lands, and goods. Keith's Hiſt. of Scotland, 198.

remedy theſe evils, many perſons of diſtinction were intruſted with the adminiſtration of juſtice within their own territories. But what we may preſume was, at firſt, only a temporary grant, or a perſonal privilege, the incroaching ſpirit of the nobles ſoon converted into a right, and rendered hereditary. The lands of ſome were erected into *baronies*, thoſe of others into *regalities*. The juriſdiction of the former was extenſive, that of the latter, as the name implies, royal and almoſt unbounded. All cauſes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's court called any perſon within his territory before them, the lord of regality might put a ſtop to their proceedings, and by the privilege of *repleging*, remove the cauſe to his own court, and even puniſh his vaſſal, if he ſubmitted to a foreign juriſdiction †. Thus almoſt every queſtion in which any perſon, who reſided on the lands of the nobles, was intereſted, being determined by judges appointed by the nobles themſelves, their vaſſals were ſcarce ſenſible of being, in any degree, ſubject to the crown. A feudal kingdom was ſplit into many ſmall principalities, almoſt independent and held together by a feeble, and commonly an imperceptible bond of union. And the king was not only ſtripped of the authority annexed to the perſon of a ſupreme judge, but his revenue ſuffered no ſmall diminution, by the loſs of thoſe pecuniary emoluments, which were, in that age, due to the perſon who adminiſtered juſtice.

In the ſame proportion that the king ſunk in power, the nobles roſe towards independence. Not ſatisfied with having obtained a hereditary right to their fief, which they formerly held during pleaſure, their ambition aimed at ſomething bolder, and by introducing *entails*, endeavoured, as far as human ingenuity and invention can reach that end, to render their poſſeſſions unalienable and everlaſting. As they had full power to add to the inheritance tranſmitted to them from their an-

† Craig, lib. iii. Deig. 7.

ceſtors, but none to diminiſh it; time alone, by means of marriages, legacies, and other accidents brought continual acceſſions of wealth, and of dignity; a great family, like a river, became conſiderable from the length of its courſe, and as it rolled on, new honours and new property flowed ſucceſſively into it. Whatever influence is derived from titles of honour, the feudal nobles, likewiſe poſſeſſed in an ample manner. Theſe marks of diſtinction are, in their own nature, either official or perſonal, and being annexed to a particular charge, or beſtowed by the admiration of mankind upon illuſtrious characters, ought to be appropriated to theſe. But the ſon, however unworthy, could not bear to be ſtripped of that appellation, by which his father had been diſtinguiſhed. His preſumption claimed, what his virtue did not merit; titles of honour became hereditary, and added new luſtre to nobles already in poſſeſſion of too much power. Something more audacious and more extravagant ſtill remained. The ſupreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and ſafety of princes, as well as of their people, depended upon the fidelity and abilities of theſe officers. But ſuch was the prepoſterous ambition of the nobles, and ſo ſucceſsful even their wildeſt attempts to aggrandize themſelves, that in all the kingdoms where the feudal inſtitutions prevailed, moſt of theſe offices were annexed to great families, and held like fiefs, by hereditary right. A perſon, whoſe undutiful behaviour rendered him odious to his prince, or whoſe incapacity expoſed him to the contempt of the people, often held a place of power and truſt, of the greateſt importance to both. In Scotland, the offices of lord juſtice general, great chamberlain, high ſteward, high conſtable, earl marſhal, and high admiral, were all hereditary; and in many counties, the office of ſheriff was held in the ſame manner.

Nobles, whoſe property was ſo extenſive, and whoſe power ſo great, could not fail of being turbulent and formidable. Nor did they want inſtruments for executing their boldeſt deſigns. That portion of their

lands, which they parcelled out among their followers, ſupplied them with a numerous band of faithful and determined vaſſals; while that, which they retained in their own hands, enabled them to live with a princely ſplendour. The great hall of an ambitious baron was often more crowded than the court of his ſovereign. The ſtrong caſtles, in which they reſided, afforded a ſecure retreat to the diſcontented and ſeditious. A great part of their revenue was ſpent upon multitudes of indigent, but bold retainers. And if at any time they left their retreat, to appear in the court of their ſovereign, they were accompanied, even in times of peace, with a vaſt train of armed followers. The uſual retinue of William the ſixth earl of Douglas conſiſted of two thouſand horſe. Thoſe of the other nobles were magnificent and formidable in proportion. Impatient of ſubordination, and forgetting their proper rank, theſe potent and haughty barons were the rivals, rather than the ſubjects of their prince. They often deſpiſed his orders, inſulted his perſon, and wreſted from him his crown. And the hiſtory of Europe during ſeveral ages, contains little elſe, but the account of the wars and revolutions, occaſioned by their exorbitant ambition.

But, if the authority of the barons far exceeded its proper bounds in the other nations of Europe, we may affirm that the balance which ought to be preſerved between a king and his nobles was entirely loſt in Scotland. The Scottiſh nobles enjoyed, in common with thoſe of other nations, all the means for extending their authority which ariſe from the ariſtocratical genius of the feudal government. Beſides theſe, they poſſeſſed advantages peculiar to themſelves; the accidental ſources of their power were conſiderable; and ſingular circumſtances concurred with the ſpirit of the conſtitution to aggrandize them. To enumerate the moſt remarkable of theſe, will ſerve both to explain the political ſtate of the kingdom, and to illuſtrate many important occurrences, in the period now under our review.

I. The nature of their country was one cauſe of the power and independence of the Scottiſh nobles. Level

and open countries are formed for ſervitude. The authority of the ſupreme magiſtrate reaches with eaſe to the moſt diſtant corners, and when nature has erected no barrier, and affords no retreat, the guilty or obnoxious are ſoon detected, and puniſhed. Mountains, and fens, and rivers, ſet bounds to deſpotic power, and amidſt theſe, is the natural ſeat of freedom and independence. In ſuch places, did the Scottiſh nobles uſually fix their reſidence. By retiring to his own caſtle, a mutinous baron could defy the power of his ſovereign; it being impracticable to lead an army through a barren country, to places, almoſt inacceſſible to a ſingle man. The ſame cauſes, which checked the progreſs of the Roman arms, and rendered all the efforts of Edward I. abortive, often protected the Scottiſh nobles from the vengeance of their prince; and they owed their perſonal independence, to thoſe very mountains and marſhes, which ſaved their country from being conquered.

II. The want of great cities in Scotland contributed not a little to increaſe the power of the nobles, and to weaken that of the prince. Wherever numbers of men aſſemble together, order muſt be eſtabliſhed, and a regular form of government inſtituted, the authority of the magiſtrate muſt be recognized, and his deciſions meet with prompt and full obedience. Laws and ſubordination take riſe in cities; and where there are few cities as in Poland, or none as in Tartary, there are few or no traces of any ſort of police. But under the feudal governments, commerce, the chief means of aſſembling mankind, was neglected; the nobles, in order to ſtrengthen their influence over their vaſſals, reſided among them, and ſeldom appeared at court, when they found a ſuperior, or dwelt in cities, where they met with equals. In Scotland, the rich counties in the ſouth lying open to the Engliſh, no town ſituated there could riſe to be great or populous amidſt continual inroads and alarms; the reſidence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and in conſequence of theſe peculiar circumſtances, added to the general cauſes

flowing from the nature of the feudal inſtitutions, the towns in Scotland were extremely few, and very inconſiderable. The vaſſal of every baron occupied a diſtinct portion of the kingdom, and unmingled with others, formed a ſeparate and almoſt independent ſociety. Inſtead of giving aid towards reducing to obedience their ſeditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obſtructed the operations of juſtice to the utmoſt. The prince was obliged to connive at criminals, whom he could not reach; the nobles conſcious of this advantage, were not afraid to offend; and the difficulty of puniſhing almoſt inſured them of impunity.

III. The diviſion of the country into clans had no ſmall effect in rendering the nobles conſiderable. The nations which over-ran Europe, were originally divided into many ſmall tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to beſtow a portion, in the firſt place, upon thoſe of his own tribe or family. Theſe all held their lands of him; and as the ſafety of each individual depended on the general union, theſe ſmall ſocieties clung together, and were diſtinguiſhed by ſome common appellation, either patronymical or local, before the introduction of ſirnames or *enſigns armorial*. But when theſe became common, the deſcendents and relations of every chieftain aſſumed the ſame name and arms with him; other vaſſals were proud to imitate their example, and by degrees they were communicated to all thoſe who held of the ſame ſuperior. Thus clanſhips were formed; and in a generation or two, that conſanguinity which was at firſt, in a great meaſure, imaginary, was believed to be real. An artificial union was converted into a natural one; men willingly followed a leader, whom they regarded both as the ſuperior of their lands, and the chief of their blood, and ſerved him not only with the fidelity of vaſſals, but with the affection of friends. In the other feudal kingdoms, we may obſerve ſuch unions as we have deſcribed, imperfectly formed; but in Scotland, whether they

were the production of chance, or the effect of policy, or introduced by the Iriſh colony above-mentioned, and ſtrengthened by carefully preſerving their genealogies, both genuine and fabulous, clanſhips were univerſal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in ſome parts of the kingdom, to diſſolve aſſociations which are founded upon prejudices ſo natural to the human mind. How formidable were nobles at the head of followers, who, counting the cauſe juſt and honourable which their chiefs approved, were ever ready to take the field at his command, and to ſacrifice their lives in defence of his perſon, or of his fame? Againſt ſuch men, a king contended with great diſadvantage, and that cold ſervice, which money purchaſes, or authority extorts, was not an equal match for their ardor and zeal.

IV. The ſmallneſs of their number may be mentioned among the cauſes of the grandeur of the Scottiſh nobles. Our annals reach not back to the firſt diviſion of property in the kingdom; but ſo far as we can trace the matter, the original poſſeſſions of the nobles ſeem to have been extenſive. The ancient thanes were the equals and the rivals of their prince. Many of the earls and barons, who ſucceeded them, were the maſters of territories no leſs ample. France and England, countries wide and fertile, afforded ſettlements to a numerous and powerful nobility. Scotland, a kingdom neither extenſive nor rich, could not contain many ſuch overgrown proprietors. But the power of an ariſtocracy always diminiſhes, in proportion to the increaſe of its numbers; feeble if divided among a multitude; irreſiſtible if centered in a few. When nobles are numerous, their operations nearly reſemble thoſe of the people, they are rouſed by what they feel only, not by what they apprehend; and ſubmit to many arbitrary and oppreſſive acts, before they take arms againſt their ſovereign. A ſmall body, on the contrary, is more ſenſible, and more impatient; quick in diſcerning, and prompt in repelling danger; all its motions are as ſudden as thoſe of the other are ſlow. Hence proceeded

the extreme jealouſy with which the Scottiſh nobles obſerved their monarchs, and the fierceneſs with which they oppoſed their encroachments Even the virtue of a prince did not render them leſs vigilant, or leſs eager to defend their rights, and Robert Bruce, notwithſtanding the ſplendor of his victories, and the glory of his name, was upon the point of experiencing the vigour of their reſiſtance, no leſs than his unpopular deſcendent James III. Beſides this, the near alliance of the great families, by frequent intermarriages, was the natural conſequence of their ſmall number. And as conſanguinity was, in thoſe ages, a powerful bond of union, all the kindred of a nobleman intereſted themſelves in his quarrels, as a common cauſe, and every conteſt the king had, though with a ſingle baron, ſoon drew upon him the arms of the whole confederacy.

V. Thoſe natural connexions both with their equals, and with their inferiors, the Scottiſh nobles ſtrengthened by a device, which, if not peculiar to themſelves, was at leaſt more frequent among them than in any other nation. Even in times of profound peace they formed aſſociations, which, when made with their equals, were called *leagues of mutual defence;* and when with their inferiors, *bonds of manrent.* By the former, the contracting parties bound themſelves mutually to aſſiſt each other in all cauſes, and againſt all perſons. By the latter, protection was ſtipulated on the one hand, and fidelity and perſonal ſervice promiſed on the other*. Self-preſervation, it is probable, forced men at firſt into theſe confederacies, and while diſorder and rapine were univerſal, while government was unſettled, and the authority of laws little known or regarded, near neighbours found it neceſſary to unite in this manner for their ſecurity, and the weak were obliged to court the patronage of the ſtrong. By degrees, theſe aſſociations became ſo many alliances offenſive and defenſive againſt the throne; and as their obligations were held to be more ſacred than any tie whatever,

* Act. 30. Parl. 1424. Act. 43. Parl. 1554.

they gave much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James II. William, the eighth earl of Douglas, entered into a league of this kind with the earls of Crawfurd, Roſs, Murray, Ormond, the Lords Hamilton, Balveny, &c. and ſo formidable was this combination to the king, that he ſtabbed Douglas with his own hand in order to diſſolve it.

VI. The frequent wars between England and Scotland proved another cauſe of augmenting the power of the nobles. Nature has placed no barrier between the two kingdoms; a river, almoſt every where fordable, divides them towards the eaſt; on the weſt they are ſeparated by an imaginary line. The ſmall revenues of our kings prevented them from fortifying, or placing garriſons in the towns on the frontier; nor would the jealouſy of their ſubjects have permitted ſuch a method of defence. The barons, whoſe eſtates lay near the borders, conſidered themſelves as bound in honour and intereſt to repel the enemy. The *wardenſhips* of the different *marches*, offices of great truſt and dignity, were always beſtowed on them. This gained them the leading of the warlike counties in the ſouth; and their vaſſals, living in a ſtate of perpetual hoſtility, or enjoying at beſt an inſecure peace, became more inured to war than even the reſt of their countrymen, and more willing to accompany their chieftain in his moſt hardy and dangerous enterpriſes. It was the valour, no leſs than the number of their followers, that rendered the Douglaſſes great. The nobles in the northern and midland counties, were often dutiful and obſequious to the crown, but our monarchs always found it impracticable to ſubdue the mutinous and ungovernable ſpirit of the borders. In all our domeſtic quarrels, thoſe who could draw to their ſide the inhabitants of the ſouthern counties, were ſure of victory; and, conſcious of this advantage, the lords who poſſeſſed authority there, were apt to forget the duty, which they owed their ſovereign, and to aſpire beyond the rank of ſubjects.

VII. The calamities which befel our kings, contri-

buted more than any other cauſe to diminiſh the royal authority. Never was any race of monarchs ſo unfortunate as the Scottiſh. Of ſix ſucceſſive princes, from Robert III. to James VI. no one died a natural death; and the minorities, during that time, were longer and more frequent than ever happened in any other kingdom. From Robert Bruce to James VI. we reckon ten princes; and ſeven of theſe were called to the throne, while they were minors, and almoſt infants. Even the moſt regular and beſt eſtabliſhed governments feel ſenſibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convulſions. But under the imperfect and ill adjuſted ſyſtem of government in Scotland, theſe effects were ſtill more fatal; and the fierce and mutinous ſpirit of the nobles, unreſtrained by the authority of a king, ſcorned all ſubjection to the delegated juriſdiction of a regent, or to the feeble commands of a minor. The royal authority was circumſcribed within narrower limits than ever; the prerogatives of the crown, naturally inconſiderable, were reduced almoſt to nothing; and the ariſtocratical power gradually roſe upon the ruins of the monarchical. Leſt the perſonal power of a regent ſhould enable him to act with too much vigour: the authority, annexed to that office, was ſometimes rendered inconſiderable by being divided; or if a ſingle regent was choſen, the greater nobles, and the heads of the more illuſtrious families, were ſeldom raiſed to that dignity. It was often conferred upon men who poſſeſſed little influence, and excited no jealouſy. They, conſcious of their own weakneſs, were obliged to overlook ſome irregularities, and to permit others; and, in order to ſupport their authority, which was deſtitute of real ſtrength, they endeavoured to gain the moſt powerful and active barons, by granting them poſſeſſions and immunities, which raiſed them to ſtill greater power. When the king himſelf came to aſſume the reins of government, he found his revenues waſted or alienated, the crown lands ſeized or given away, and the nobles ſo accuſtomed to independence, that after the ſtruggle of a whole reign, he was ſeldom

able to reduce them to the ſame ſtate in which they had been at the beginning of his minority, or to wreſt from them what they had uſurped during that time. If we take a view of what happened to each of our kings, who was ſo unfortunate as to be placed in this ſituation, the truth and importance of this obſervation will fully appear.

The minority of David II. the ſon of Robert Bruce, was diſturbed by the pretenſions of Edward Baliol, who, relying on the aid of England, and on the ſupport of ſome diſaffected nobles among the Scots, invaded the kingdom. The ſucceſs which at firſt attended his arms, obliged the young king to retire to France; and Baliol took poſſeſſion of the throne. A ſmall body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and, after an abſence of nine years, David returned from France, and took the government of the kingdom into his own hands. But nobles, who were thus waſting their blood and treaſure in defence of the crown, had a right to the undiſturbed poſſeſſion of their ancient privileges, and even ſome title to arrogate new ones. It ſeems to have been a maxim, in that age, that every leader might claim as his own, the territory which his ſword had won from the enemy. Great acquiſitions were gained by the nobles in that way; and to theſe the gratitude and liberality of David added, by diſtributing among ſuch as adhered to him, the vaſt poſſeſſions which fell to the crown by the forfeiture of his enemies. The family of Douglas, which began to riſe above the other nobles, in the reign of his father, augmented both its power and its property, during his minority.

James I. was ſeized by the Engliſh during the continuance of a truce, and ungenerouſly detained a priſoner, almoſt nineteen years. During that period, the kingdom was governed, firſt by his uncle, Robert duke of Albany, and then by Murdo, his ſon. Both theſe noblemen aſpired to the crown, and their unnatural ambition, if we may believe moſt of our hiſtorians, not only cut ſhort the days of prince David, the king's elder brother, but prolonged the captivity of James.

They flattered themſelves, that they might ſtep with leſs oppoſition into a throne, when almoſt vacant; and dreading the king's return, as the extinction of their authority, and the end of their hopes, they carried on the negociations for obtaining his liberty, with extreme remiſſneſs. At the ſame time, they neglected nothing that could either ſoothe or bribe the nobles to approve their ſchemes. They ſlackened the reins of government; they allowed the prerogative to be encroached upon; they ſuffered the moſt irregular acts of power, and even wanton inſtances of oppreſſion, to paſs with impunity; they dealt out the patrimony of the crown among thoſe whoſe enmity they dreaded, or whoſe favour they had gained; and reduced the royal authority to a ſtate of imbecility, from which ſucceeding monarchs laboured in vain to raiſe it.

During the minority of James II. the adminiſtration of affairs, and the cuſtody of the king's perſon, were committed to ſir William Crichton, and ſir Alexander Livingſton. Jealouſy and diſcord were the effects of their conjunct authority, and each of them, in order to ſtrengthen himſelf, beſtowed new powers and privileges upon the great men, whoſe aid he courted. While the young earl of Douglas, encouraged by their diviſions, erected a ſort of independent principality within the kingdom; and forbidding his vaſſals to acknowledge any authority but his own, he created knights, appointed a privy council, named officers civil and military, aſſumed every enſign of royalty, but the title of king, and appeared in public with a magnificence more than royal.

Eight perſons were choſen to govern the kingdom, during the minority of James III. Lord Boyd, however, by ſeizing the perſon of the young king, and by the aſcendant which he acquired over him, ſoon ingroſſed the whole authority. He formed the ambitious proſpect of raiſing his family to the ſame pitch of power and grandeur with thoſe of the prime nobility; and he effected it. While intent on this, he relaxed the vigour of government, and the nobles became accuſtomed, once more, to anarchy and independence. The

power which Boyd had been at ſo much pains to acquire, was of no long continuance; and the fall of his family, according to the fate of favourites, was ſudden and deſtructive; but upon its ruins, the family of Hamilton roſe, which ſoon attained the higheſt rank in the kingdom.

As the minority of James V. was longer, it was likewiſe more turbulent than thoſe of the preceding kings. And the contending nobles, encouraged or protected either by the king of France, or of England, formed themſelves into more regular factions, and diſregarded more than ever the reſtraints of order and authority. The French had the advantage of ſeeing one, devoted to their intereſt, raiſed to be regent. This was the duke of Albany, a native of France, and grandſon of James II. But Alexander lord Home, the moſt eminent of the Scottiſh peers, who ſurvived the fatal battle of Flowden, thwarted all his meaſures, during the firſt year of his adminiſtration; and the intrigues of the queen dowager, ſiſter of Henry VIII. rendered the latter part of it no leſs feeble. Though ſupported by French auxiliaries the nobles deſpiſed his authority, and regardleſs either of his threats, or his entreaties, peremptorily refuſed, two ſeveral times, to enter England, to the borders of which kingdom he had led them. Provoked by theſe repeated inſtances of contempt, the regent abandoned his troubleſome ſtation, and retiring to France, preferred the tranquillity of a private life to an office deſtitute of real authority. Upon his retreat, Douglas earl of Angus became maſter of the king's perſon, and governed the kingdom in his name. Many efforts were made to deprive him of his uſurped authority. But the numerous vaſſals and friends of his family adhered to him, becauſe he divided with them the power and emoluments of his office; the people reverenced and loved the name of Douglas; without the title of regent, he exerciſed a fuller and more abſolute authority than any who had enjoyed that dignity; and the ancient but dangerous pre-eminence of the Douglaſſes, ſeemed to be reſtored.

To theſe and to many other cauſes, omitted or unobſerved by us, did the Scottiſh nobility owe that exorbitant and uncommon power, of which inſtances occur ſo frequently in our hiſtory. Nothing, however, demonſtrates ſo fully the extent of their power, as the length of its duration. Many years after the declenſion of the feudal ſyſtem in the other kingdoms of Europe, and when the arms or policy of princes had every where ſhaken or laid it in ruins, the foundations of that ancient fabric remained firm and untouched in Scotland.

The powers, which the feudal inſtitutions veſted in the nobles, ſoon became intolerable to all the princes of Europe, who longed to poſſeſs ſomething more than a nominal and precarious authority. Their impatience to obtain this, precipitated Henry III. of England, Edward II. and ſome other weak princes, into raſh and premature attempts againſt the privileges of the barons, in which they were diſappointed or periſhed. Princes of greater abilities were content to mitigate evils which they could not cure; they ſought occupation for the turbulent ſpirit of their nobles in frequent wars; and allowed their fierce courage to evaporate in foreign expeditions, which, if they brought no other advantage, ſecured at leaſt domeſtic tranquillity. But time and accidents ripened the feudal governments for deſtruction. Towards the end of the 15th century, and beginning of the 16th, all the princes of Europe attacked, as if by concert, the power of their nobles. Men of genius then undertook with ſucceſs, what their unſkilful predeceſſors had attempted in vain. Louis XI. of France, the moſt profound and the moſt adventurous genius of that age, began, and, in a ſingle reign, almoſt completed the ſcheme of their deſtruction. The ſure, but concealed policy of Henry VII. of England, produced the ſame effect. The means, indeed, employed by theſe monarchs, were very different. The blow which Louis ſtruck was ſudden and fatal. The artifices of Henry reſembled thoſe ſlow poiſons, which waſte the conſtitution, but become not mortal till ſome

diſtant period. Nor did they produce conſequences leſs oppoſite. Louis boldly added to the crown whatever he wreſted from the nobles. Henry undermined his barons by encouraging them to ſell their lands, which enriched the commons, and gave them a weight in the legiſlature unknown to their predeceſſors. But while theſe great revolutions were carrying on in two kingdoms with which Scotland was intimately connected, no alteration happened there; the king neither extended his own prerogative, nor enabled the commons to encroach upon the ariſtocracy; the nobles not only retained their ancient privileges and poſſeſſions, but daily made new acquiſitions.

This was not owing to the attention of our princes or to their want of ambition. They were abundantly ſenſible of the exorbitant power of the nobles, and extremely ſolicitous to humble them. They did not, however, poſſeſs means ſufficient for accompliſhing that end. The reſources of our monarchs were few, and the progreſs which they made inconſiderable. But as the number of their followers, and the extent of their juriſdiction, were the two chief circumſtances which rendered the nobles formidable; in order to counterbalance the one, and to reſtrain the other, all our kings had recourſe to the ſame expedients.

I. Among nobles of a fierce courage, and of unpoliſhed manners ſurrounded with vaſſals bold and licentious, whom they were bound by intereſt and honour to protect, the cauſes of diſcord were many and unavoidable. And as the contending parties could ſeldom agree in acknowledging the authority of any common ſuperior or judge, and their impatient ſpirit would ſeldom wait the ſlow deciſions of juſtice, their quarrels were uſually terminated by the ſword. The offended baron aſſembled his vaſſals, and waſted the lands, or ſhed the blood of his enemy. To forgive an injury was mean, to forbear revenge infamous or cowardly*.

* The ſpirit of revenge was encouraged not only by the manners, but what is more remarkable, by the laws

Hence quarrels were tranſmitted from father to ſon, and, under the name of *deadly feuds*, ſubſiſted for many generations with unmitigated rancour. It was the intereſt of the crown to foment, rather than to extinguiſh theſe; and by ſcattering or cheriſhing the ſeeds of diſcord among the nobles, that union, which would have rendered the ariſtocracy invincible, and which muſt at once have annihilated the prerogative, was effectually prevented. To the ſame cauſe our kings were indebted for the ſucceſs with which they ſometimes attacked the moſt powerful chieftains. They employed private revenge to aid the impotence of public laws, and arming againſt the perſon who had incurred their diſpleaſure, thoſe rival families which wiſhed his fall, they rewarded their ſervice by ſharing among them the ſpoils of the vanquiſhed. But this expedient, though it ſerved to humble individuals, did not weaken the body of the nobles. Thoſe, who were now the inſtruments of their prince's vengeance, became, in a

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of thoſe ages. If any perſon thought the proſecution of an injury offered to his family, too troubleſome, or too dangerous, the ſalique laws permitted him publicly to deſiſt from demanding vengeance; but the ſame laws, in order to puniſh his cowardice and want of affection to his family, deprived him of the right of ſucceſſion. Henaut. Abrege Chronol. p. 81. Among the Anglo-Saxons, we find a ſingular inſtitution, diſtinguiſhed by the name of *ſodalitium*; a voluntary aſſociation, the object whereof was the perſonal ſecurity of thoſe who joined in it, and which the feebleneſs of government at that time rendered neceſſary. Among other regulations, which are contained in one of thoſe ſtill extant, the following deſerves notice. "If any aſſociate ſhall either eat or drink with a perſon who has killed any member of the *ſodalitium*, unleſs in the preſence of the king, the biſhop, or the count, and unleſs he can prove that he did not know the perſon, let him pay a great fine." Hicks' Diſſert. Epiſtolar. apud Thesaur. Ling. Septentr. vol. i. p. 21.

ſhort time, the objects of his fear. Having acquired power and wealth by ſerving the crown, they, in their turn, ſet up for independence; and though there might be a fluctuation of power and of property, though old families fell, and new ones roſe upon their ruins, the rights of the ariſtocracy remained entire, and its vigour unbroken.

II. As the adminiſtration of juſtice is one of the moſt powerful ties between a king and his ſubjects, all our monarchs were at the utmoſt pains to circumſcribe the juriſdiction of the barons, and to extend that of the crown. The external forms of ſubordination natural to the feudal ſyſtem, favoured this attempt.

An appeal lay from the judges and courts of the barons, to thoſe of the king. The right, however, of judging in the firſt inſtance, belonged to the nobles, and they eaſily found means to defeat the effect of appeals, as well as of many other feudal regulations. The royal juriſdiction was almoſt confined within the narrow limits of the king's demeſnes, beyond which, his judges claimed indeed, much authority, but poſſeſſed next to none. Our kings were ſenſible of theſe limitations, and bore them with impatience. But it was impoſſible to overturn, in a moment, what was ſo deeply rooted; or to ſtrip the nobles, at once, of privileges which they had held ſo long, and which were wrought almoſt into the frame of the feudal conſtitution. To accompliſh this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other inſtances, towards a more regular and perfect police. He made choice, among the eſtates of parliament, of a certain number of perſons, whom he diſtinguiſhed by the name of *Lords of Seſſion*, and appointed them to hold courts for determining civil cauſes, three times in the year, and forty days at a time, in whatever place he pleaſed to name. Their juriſdiction extended to all matters which formerly came under the cognizance of the king's council, and, being a committee of parliament, their deciſions were final. James II. obtained a law annexing all re-

galities, which ſhould be forfeited, to the crown, and declaring the right of juriſdiction to be unalienable for the future. James III. impoſed ſevere penalties upon thoſe judges, appointed by the barons, whoſe deciſions ſhould be found on a review to be unjuſt; and by many other regulations endeavoured to extend the authority of his own court*. James IV. on pretence of remedying the inconveniencies ariſing from the ſhort terms of the court of ſeſſion, appointed other judges, called *Lords of Daily Council*. The *ſeſſion* was an ambulatory court, and met ſeldom; the daily council was fixed, and ſat conſtantly at Edinburgh; and though not compoſed of members of parliament, the ſame powers, which the lords of ſeſſion enjoyed, were veſted in it. At laſt, James V. erected a new court, which ſtill ſubſiſts, and which he named the *College of Juſtice*, the judges or *ſenators* of which were called *Lords of Council and Seſſion*. This court not only exerciſed the ſame juriſdiction which formerly belonged to the ſeſſion and daily council, but new rights were added. Privileges of great importance were granted to its members, its forms were preſcribed, its terms fixed, and regularity, power, and ſplendor conferred upon it. The perſons, conſtituted judges in all theſe different courts, had, in many reſpects, the advantage of thoſe who preſided in the courts of the barons; they were more eminent for their ſkill in law, their rules of proceeding were more uniform, and their deciſions more conſiſtent. Such judicatories became the objects of confidence and of veneration. Men willingly ſubmitted their property to their determination, and their encroachments on the juriſdictions of the nobles were popular, and for that reaſon ſucceſsful. By devices of a ſimilar nature, the juriſdiction of the nobles in criminal cauſes was reſtrained, and the authority of the court of *juſticiary* extended. The crown, in this particular, gaining inſenſibly upon the nobles, recovered more ample authority; and the king, whoſe juriſdiction once reſembled that of a ba-

* Act 26. P. 1469. Act 94. P. 1493. Act 99. P. 1487.

ron; rather than that of a ſovereign*; came more and more to be conſidered as the head of the community, and the ſupreme diſpenſer of juſtice to his people. Theſe acquiſitions of our kings, however, though comparatively great, were in reality inconſiderable; and, notwithſtanding all their efforts, the ſeparate juriſdictions of the nobles remained, many of them, in great vigour; and their final abolition was reſerved to a diſtant and more happy period.

* The moſt perfect idea of the feudal ſyſtem of government may be attained by attending to the ſtate of Germany, and to the hiſtory of France. In the former, the feudal inſtitutions ſtill ſubſiſt with great vigour; and though altogether aboliſhed in the latter, the public records have been ſo carefully preſerved, that the French lawyers and antiquaries have been enabled, with more certainty and preciſion, than thoſe of any other country in Europe, to trace its riſe, its progreſs and revolutions. In Germany, every principality may be conſidered as a fief, and all its great princes as vaſſals, holding of the emperor. They poſſeſs all the feudal privileges; their fiefs are perpetual; their juriſdiction within their own territories, ſeparate and extenſive; and the great offices of the empire are all hereditary, and annexed to particular families. At the ſame time the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretenſions are innumerable, and his power ſmall; his juriſdiction within his own demeſnes or hereditary countries, is complete; beyond the bounds of thoſe it is almoſt nothing. And ſo permanent are feudal principles, that although the feudal ſyſtem be overturned in almoſt every particular ſtate in Germany, and although its princes have all become abſolute, the original feudal conſtitution of the empire ſtill remains, and ideas peculiar to that form of government, direct all its operations and determine the rights of all its princes. Our obſervations, with regard to the limited juriſdiction of the king under the feudal governments, are greatly illuſtrated by

But beſides theſe methods of defending their prerogative, and humbling the ariſtocracy, which may be conſidered as common to all our princes, we ſhall find, by taking a review of their reigns, that almoſt every one of our kings, from Robert Bruce to James V. had formed ſome particular ſyſtem for depreſſing the authority of the nobles, which was the object both of their jealouſy and terror. The conduct of our monarchs, if we reſt ſatisfied with the accounts of their hiſtorians, muſt be conſidered as flowing entirely from the reſentment againſt particular noblemen; and all their attempts to humble them muſt be viewed as the ſallies of private paſſion, not as the conſequences of any general plan of policy. But, though ſome of their actions may be imputed to thoſe paſſions, though the different genius of the men, the temper of the times, and the ſtate of the nation neceſſarily occaſioned great variety in their ſchemes, yet, without being chargeable with exceſſive refinement, we may affirm, that their end was uniformly the ſame. And the project of reducing the power of the ariſtocracy, ſometimes avowed and purſued with vigour, ſometimes concealed or ſeemingly ſuſpended, was never altogether abandoned.

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what happened in France. The feebleneſs and dotage of the deſcendents of Charlemaigne encouraged the peers to uſurp an independent juriſdiction. Nothing remained in the hands of the crown; all was ſeized by them. When Hugh Capet aſcended the throne, A. D. 987, he kept poſſeſſion of his private patrimony the Comte of Paris, and all the juriſdiction, which the kings his ſucceſſors exerciſed for ſome time, was within its territories. There were only four towns in France, where he could eſtabliſh GRANDS BAILLIS, or royal judges; all the other lands, towns, and baillages belonging to the nobles. The methods to which the French monarchs had recourſe for extending their juriſdiction were exactly ſimilar to thoſe employed by our princes. Henault's Abrege, p. 617. &c. De L'Eſprit des Loix, Liv. 30. ch. 20. &c.

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generosity bestowed on them the lands of the vanquished. Property has seldom undergone greater or more sudden revolutions than those to which it was subject, at that time, in Scotland. Edward I. having forfeited the estates of most of the ancient Scottish nobles, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely lame. During one of those truces between the two nations, occasioned rather by their being weary of war, than desirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He summoned them to appear, and to shew by what rights they held their lands. They assembled accordingly, and the question being put, they started up, at once, and drew their swords, "By these, said they, we acquired our lands, and with these we will defend them." The king intimidated by their boldness, prudently dropt the project. But so deeply did the nobles resent this attack upon their order, that notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David his son, at first an exile in France, afterwards a prisoner in England, and involved in a continual war with Edward III. had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of the nobility.

Our historians have been more careful to relate the military, than the civil transactions of the reign of Robert II. Skirmishes and inroads of little consequence, they describe minutely, but with regard to every thing that happened, during several years of tranquillity, they are altogether silent.

The feeble administration of Robert III. must likewise be passed over slightly. A prince, of a mean genius, and of a frail and sickly constitution, was no fit

perſon to enter the liſts with active and martial nobles, or to attempt wreſting from them any of their rights.

The civil tranſactions in Scotland are better known ſince the beginning of James I's reign, and a complete ſeries of our laws ſupplies the defects of our hiſtorians. The Engliſh made ſome amends for their injuſtice in detaining that prince a priſoner, by their generous care of his education. During his long reſidence in England, he had an opportunity of obſerving the feudal ſyſtem in a more advanced ſtate, and refined from many of the imperfections which ſtill adhered to it, in his own kingdom. He ſaw there nobles great, but not independent; a king powerful, though far from abſolute; he ſaw a regular adminiſtration of government; wiſe laws enacted; and a nation flouriſhing and happy, becauſe all ranks of men were accuſtomed to obey them. Full of theſe ideas, he returned into his native country, which preſented to him a very different ſcene. The royal authority, never great, was now contemptible, by being ſo long delegated to regents. The ancient patrimony and revenues of the crown were almoſt totally alienated. During his long abſence, the name of a king was little known, and leſs regarded. The licence of many years had rendered the nobles independent. Univerſal anarchy prevailed. The weak were expoſed to the rapine and oppreſſion of the ſtrong. In every corner ſome barbarous chieftain ruled at pleaſure, and neither feared the king, nor pitied the people.*

James was too wiſe a prince to employ open force to correct ſuch inveterate evils. Neither the men, nor the times, would have borne it. He applied the gen-

* A contemporary monkiſh writer deſcribes theſe calamities very feelingly, in his rude Latin. In diebus illis, non erat lex in Scotia, ſed quilibet potentiorum juniorem oppreſſit; et totum regnum fuit unum latrocinium; homicidia, deprædationes, incendia, et cætera maleficia remanſerunt impunita; et juſtitia relegata extra terminos regni exulavit. Chartular. Morav. apud Innes Eſſay, vol. i. p. 272.

tler and leſs offenſive remedy of laws and ſtatutes. In a parliament held immediately after his return, he gained the confidence of his people, by many wiſe laws, tending viſibly to re-eſtabliſh order, tranquillity, and juſtice in the kingdom. But, at the ſame time that he endeavoured to ſecure theſe bleſſings to his ſubjects, he diſcovered his intention to recover thoſe poſſeſſions, of which the crown had been unjuſtly bereaved; and for that purpoſe obtained an act by which he was empowered to ſummon thoſe, who had obtained crown lands during the three laſt reigns, to produce the rights by which they held them*. As this ſtatute threatened the property of the nobles, another, which paſſed in a ſubſequent parliament, aimed a dreadful blow at their power. By it, the leagues and combinations which we have already deſcribed, and which rendered the nobles ſo formidable to the crown, were declared unlawful†. Encouraged by this ſucceſs in the beginning of his enterpriſe, James's next ſtep was ſtill bolder and more deciſive. During the ſitting of parliament, he ſeized, at once, his couſin Murdo, duke of Albany, and his ſons; the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his ſons, and Lennox. Theſe were tried by their peers and condemned; for what crime is now unknown. Their execution ſtruck the nobles with terror, and their forfeiture added vaſt poſſeſſions to the crown. He ſeized, likewiſe, the earldoms of Buchan and Strathern, upon different pretexts, and that of Marr fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding ſo rapidly towards aggrandizing the crown, are amazing. The only obſtruction he met with was from a ſlight inſurrection, headed by the duke of Albany's youngeſt ſon, and that was eaſily ſuppreſſed. The ſplendor and preſence of a king, to which the nobles had been long unaccuſtomed, inſpired reverence:

* Act 9. P. 1424. † Act 30. P. 1424.

James was a prince of great abilities, and conducted his operations with much prudence. He was in friendſhip with England; cloſely allied with the French king; he was adored by the people, who enjoyed unuſual ſecurity and happineſs under his adminiſtration; and all his acquiſitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by deciſions of law; and being founded on circumſtances peculiar to the perſons who ſuffered, might excite murmurs and apprehenſions, but afforded no colourable pretext for a general rebellion. It was not ſo with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a meaſure that irritated the whole nobles, and which the event ſhews either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar, earl of March, had taken arms againſt Robert III. the king's father, but that crime had been pardoned, and his lands reſtored by Robert, duke of Albany. James, on pretext that the regent had exceeded his power, and that it was not competent to any but the king himſelf to pardon treaſon, or to alienate lands annexed to the crown, obtained a ſentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the nobles held lands by no other right than what they derived from grants of the two dukes of Albany. Such a deciſion, though they had reaſon to expect it in conſequence of the ſtatute which the king had obtained, occaſioned a general alarm. Though Dunbar was, at preſent, the only ſufferer, the precedent might be extended, and their titles to poſſeſſions, which they conſidered as the rewards of their valour, might be ſubjected to the review of courts of law, whoſe forms of proceeding, and juriſdiction were in a martial age little known, and extremely odious. Terror and diſcontent ſpread faſt upon this diſcovery of the king's intentions; the common danger called on the whole order to unite, and to make one bold ſtand, before they were ſtripped

piecemeal, and reduced to a ſtate of poverty and inſignificance. The prevalence of theſe ſentiments among the nobles, encouraged a few deſperate men, the friends or followers of thoſe who had been the chief ſufferers under the king's adminiſtration, to form a conſpiracy againſt his life. The firſt certain intelligence of this was brought him while he lay in his camp before Roxburgh caſtle. He durſt not confide in nobles to whom he gave ſo many cauſes of diſguſt, but inſtantly diſmiſſed them and their vaſſals, and retiring to a monaſtery near Perth, was ſoon after murdered there in the moſt cruel manner. All our hiſtorians mention, with aſtoniſhment, this circumſtance of the king's diſbanding his army, at a time when it was ſo neceſſary for his preſervation. A king, ſay they, ſurrounded with his barons, is ſecure from ſecret treaſon, and may defy open rebellion. But thoſe very nobles were the perſons whom he chiefly dreaded; and it is evident, from this review of his adminiſtration, that he had greater reaſon to apprehend danger, than to expect defence from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy! had he reigned in a country more civilized; his love of peace, of juſtice, and of elegance, would have rendered his ſchemes ſucceſsful, and inſtead of his periſhing becauſe he had attempted too much, a grateful people would have applauded and ſeconded his efforts to reform and to improve them.

Crichton, the moſt able man of thoſe, who had the direction of affairs during the minority of James II. had been the miniſter of James I. and well acquainted with his reſolutions of humbling the nobles. He did not relinquiſh the deſign, and he endeavoured to inſpire his pupil with the ſame ſentiments. But what James had attempted to effect ſlowly, and by legal means, his ſon and Crichton purſued with the impetuoſity natural to Scotſmen, and with the fierceneſs peculiar to that age. William, the ſixth earl of Douglas, was the firſt victim to their barbarous policy. That young nobleman (as we have already obſerved) contemning the

authority of an infant prince, almoſt openly renounced his allegiance, and aſpired to independency. Crichton, too high-ſpirited to bear ſuch an inſult, but too weak to curb or to bring to juſtice ſo powerful an offender, decoyed him by many promiſes to an interview in the caſtle of Edinburgh, and, notwithſtanding theſe, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him univerſally odious. William, the eight earl of Douglas, was no leſs powerful and no leſs formidable to the crown. By forming the league which we already mentioned with the earl of Crawford and other barons, he had united againſt his ſovereign almoſt one half of his kingdom. But his credulity led him into the ſame ſnare which had been fatal to the former earl. Relying on the king's promiſes, who had now attained to the years of manhood, and having obtained a ſafe conduct under the great ſeal, he ventured to meet him in Stirling caſtle. James urged him to abandon that dangerous confederacy into which he had entered; the earl obſtinately refuſed; "If you will not (ſaid the enraged monarch, drawing his dagger) this ſhall;" and ſtabbed him to the heart. An action ſo unworthy of a king, filled the nation with aſtoniſhment and with horror. The earl's vaſſals ran to arms with the utmoſt fury, and dragging the ſafe conduct, which the king had granted and violated, at a horſe's tail, they marched towards Stirling, burnt the town, and threatened to beſiege the caſtle. An accommodation enſued, on what terms is not known. But the king's jealouſy, and the earl's power and reſentment, prevented it from being of long continuance. Both took the field at the head of their armies, and met near Abercorn. That of the earl, compoſed chiefly of borderers, was far ſuperior to the king's both in number and in valour; and a ſingle battle muſt, in all probability, have decided whether the houſe of Stewart or of Douglas was henceforth to poſſeſs the throne of Scotland. But, while his troops impatiently expected the ſignal to engage, the earl ordered them to retire to their camp, and ſir James Hamil-

ton of Cadyow, the perſon in whom he placed the greateſt confidence, convinced of his want of genius to improve an opportunity, or of his want of courage to ſeize a crown, deſerted him that very night. This example was followed by many; and the earl, deſpiſed or forſaken by all, was ſoon driven out of the kingdom, and obliged to depend for his ſubſiſtence on the friendſhip of the king of England. The ruin of this great family, which had ſo long rivalled and overawed the crown, and the terror with which ſuch an example of unſucceſsful ambition filled the nobles, ſecured the king, for ſome time, from oppoſition; and the royal authority remained uncontrolled and almoſt abſolute. James did not ſuffer this favourable interval to paſs unimproved; he procured the conſent of parliament to laws more advantageous to the prerogative, and more ſubverſive of the privileges of the ariſtocracy, than were ever obtained by any former or ſubſequent monarch of Scotland.

By one of theſe, not only all the vaſt poſſeſſions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void, and the king was empowered to ſeize them at pleaſure, without any proceſs or form of law, and oblige the poſſeſſors to refund whatever they had received from them *. A dreadful inſtrument of oppreſſion in the hands of a prince.

Another law prohibited the wardenſhip of the marches to be granted hereditarily; reſtrained, in ſeveral inſtances, the juriſdiction of that office; and extended the authority of the king's courts †.

By a third, it was ordained that no *regality*, or excluſive right of adminiſtering juſtice within a man's own lands, ſhould be granted in time to come, without the conſent of parliament ‡, a condition which implied almoſt an expreſs prohibition. Thoſe nobles, who already poſſeſſed that great privilege, would naturally be ſolicitous to prevent it from becoming common, by be-

* Act 41. P. 1455. † Ibid. Act 42. ‡ Ibid. Act 43.

ing beſtowed on many. Thoſe who had not themſelves attained it, would envy others the acquiſition of ſuch a flattering diſtinction; and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and thoſe obtained ſince the death of the laſt king were revoked‖.

Each of theſe ſtatutes undermined ſome of the great pillars on which the power of the ariſtocracy reſted. During the remainder of his reign, this prince purſued the plan which he had begun with the utmoſt vigour; and had not a ſudden death, occaſioned by the ſplinter of a cannon which burſt near him at the ſiege of Roxburgh, prevented his progreſs; he wanted neither genius nor courage to perfect it: and Scotland might, in all probability, have been the firſt kingdom in Europe, which would have ſeen the ſubverſion of the feudal ſyſtem.

James III. diſcovered no leſs eagerneſs than his father or grandfather to humble the nobles; but far inferior to either of them in abilities and addreſs, he adopted a plan extremely impolitic, and his reign was diſaſtrous, as well as his end tragical. Under the feudal governments, the nobles were not only the king's miniſters, and poſſeſſed of all the great offices of power or of truſt; they were likewiſe his companions and favourites, and ſcarce any but them approached his perſon, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unuſual diſtance, and beſtowed every mark of confidence and affection upon a few mean perſons, of profeſſions ſo diſhonourable, as ought to have rendered them unworthy of his preſence. Shut up with theſe in his caſtle of Stirling, he ſeldom appeared in public, and amuſed himſelf with architecture, muſic, and other arts, which were then little eſteemed. The nobles beheld the power and favour of theſe minions with indignation. Even the ſanguinary meaſures of his father provoked

‖ Act 44.

them leſs than his neglect. Individuals alone ſuffered by the former; by the latter, every man thought himſelf injured, becauſe all were contemned. Their diſcontent was much heightened by the king's recalling all rights of crown lands, hereditary offices, regalities, and every other conceſſion, which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themſelves, ſecret intrigues with England, and all the uſual preparatives for civil war were the effects of their reſentment. Alexander duke of Albany, and John earl of Marr, the king's brothers, two young men of turbulent and ambitious ſpirits, and incenſed againſt James, who treated them with the ſame coldneſs as he did the other nobles, entered deeply into all their cabals. The king detected their deſigns, before they were ripe for execution, and ſeizing his two brothers, committed the duke of Albany to Edinburgh caſtle. The earl of Marr, having remonſtrated with too much boldneſs againſt the king's conduct, was murdered, if we may believe our hiſtorians, by his command. Albany, apprehenſive of the ſame fate, made his eſcape out of the caſtle and fled into France. Concern for the king's honour, or indignation at his meaſures, were perhaps the motives, which firſt induced him to join the malcontents. But James's attachment to favourites rendering him every day more odious to the nobles, the proſpect of the advantages which might be derived from their general diſaffection, added to the reſentment which he felt on account of his brother's death, and his own injuries, ſoon inſpired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV. of England, in which he aſſumed the name of Alexander king of Scots, and in return for the aſſiſtance which was promiſed him towards dethroning his brother, he bound himſelf, ſo ſoon as he was put in poſſeſſion of the kingdom, to ſwear fealty and to do homage to the Engliſh monarch, to renounce the ancient alliance with France, to contract a new one with England, and to ſurrender ſome of the ſtrongeſt caſtles, and moſt valuable counties

in Scotland*. That aid, which the duke ſo baſely purchaſed at the price of his own honour, and the independency of his country, was punctually granted him, and the duke of Glouceſter, with a powerful army, conducted him towards Scotland. The danger of a foreign invaſion obliged James to implore the aſſiſtance of thoſe nobles, whom he had ſo long treated with contempt. Some of them were in cloſe confederacy with the duke of Albany, and approved of all his pretenſions. Others were impatient for any event, which would reſtore their order to its ancient pre-eminence. They took the field, however, at the head of a powerful army of their followers, but with a ſtronger diſpoſition to redreſs their own grievances, than to annoy the enemy; and with a fixed reſolution of puniſhing thoſe minions, whoſe inſolence they could no longer tolerate. This reſolution they executed, in the camp near Lawder, with a military diſpatch and rigour. Having previouſly concerted their plan, the earls of Angus, Huntly, Lennox, followed by almoſt the whole barons of chief note in the army, forcibly entered the apartment of their ſovereign, ſeized all his favourites, except one Ramſay, whom they could not tear from the king, in whoſe arms he took ſhelter, and, without any form of trial, hanged them inſtantly over a bridge. Among the moſt remarkable of thoſe who had engroſſed the king's affection, were Cochran, a maſon; Hommil, a taylor; Leonard, a ſmith; Rogers, a muſician; and Torſifan, a fencing-maſter. So deſpicable a retinue diſcovers the capriciouſneſs of James's character, and accounts for the indignation of the nobles, when they beheld the favour, due to them, beſtowed on ſuch unworthy objects.

James had no reaſon to confide in an army ſo little under his command, and diſmiſſing it, ſhut himſelf up in the caſtle of Edinburgh. After various intrigues, Albany's lands and honours were at length reſtored to him, and he ſeemed even to have regained his brother's

* Aberc. Mart. Atch. v. ii. 443.

favour, by ſome important ſervices. But their friendſhip was not of long duration. James, once more, abandoned himſelf to the guidance of favourites; and the fate of thoſe, who ſuffered at Lawder, did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poiſon, fled from court, and retiring to his caſtle of Dunbar, drew thither a greater multitude of nobles than attended on the king himſelf. At the ſame time, he renewed his former confederacy with Edward; the earl of Angus openly negociated that infamous treaty; other barons were ready to concur with it; and if the ſudden death of Edward had not prevented Albany's receiving any aid from England, the crown of Scotland would, probably, have been the reward of this unworthy combination with the enemies of his country. But, inſtead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not reſide there in ſafety, and flying firſt to England, and then to France, he ſeems, from that time, to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his miniſters multiplied the inſults which they offered to the nobles. A ſtanding guard, a thing unknown under the feudal governments, and inconſiſtent with the familiarity and confidence with which monarchs then lived amidſt their nobles, was raiſed for the king's defence, and the command of it given to Ramſay, lately created earl of Bothwell, the ſame perſon who ſo narrowly eſcaped when his companions were put to death at Lawder. And, as if this precaution had not been ſufficient, a proclamation was iſſued, forbidding any perſon to appear in arms within the precincts of the court*; which, at the time when no man of rank left his own houſe without a numerous retinue of armed followers, was, in effect, debarring the nobles from all acceſs to the king. James, at the ſame time, became fonder of retirement than ever; and, ſunk in indolence or ſuper-

* Ferrerius, 398.

ſtition, or attentive only to amuſements, devolved his whole authority upon his favourites. So many injuries provoked the moſt conſiderable nobles to take arms, and having perſuaded or obliged the duke of Rothſay, the king's eldeſt ſon, a youth of fifteen, to ſet himſelf at their head, they openly declared their intention of depriving James of a crown, of which he had diſcovered himſelf to be ſo unworthy. Rouſed by this danger, the king quitted his retirement, took the field, and encountered them near Bannockburn; but the valour of the borderers, of whom the army of the malcontents was chiefly compoſed, ſoon put his troops to flight, and he himſelf was ſlain in the purſuit. Suſpicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are viſible in his whole conduct; but the character of a cruel and unrelenting tyrant ſeems to be unjuſtly affixed to him by our hiſtorians. His neglect of the nobles irritated, but did not weaken them; and their diſcontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were ſufficient to have diſturbed a more vigorous adminiſtration, and to have rendered unhappy a prince of ſuperior talents.

The indignation which many of the nobles expreſſed againſt the conduct of the conſpirators, together with the terror of the ſentence of excommunication which the pope pronounced againſt them, obliged them to uſe their victory with great moderation and humanity. And being conſcious how deteſtable the crime of imbruing their hands in the blood of their ſovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for their treatment of the father, by their loyalty and duty towards the ſon. They placed him inſtantly on the throne, and the whole kingdom ſoon united in acknowledging his authority.

James IV. was naturally generous and brave; he felt, in an high degree, all the paſſions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During

his reign, the ancient and hereditary enmity between the king and nobles seemed almost entirely to have ceased. He envied not their splendor, because it contributed to the ornament of his court; nor did he dread their power, which he considered as the security of his kingdom, not as an object of terror to himself. This confidence, on his part, met with the proper return of duty and affection on theirs; and, in his war with England, he experienced how much a king beloved by his nobles is able to perform. Though the ardour of his courage, and the spirit of chivalry, rather than the prospect of any national advantages, were the motives of that expedition; such was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the nobles, his reign was distinguished by an event, extremely fatal to them; and one accidental blow humbled them more than all the premeditated attacks of preceding kings. In the rash and unfortunate battle of Flowden, a brave nobility chose rather to die, than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and an incredible number of barons fell with the king *. The whole body of the nobles, long and sensibly, felt this disaster; and if a prince, of full age, had then ascended the throne, their consternation and feebleness would have afforded him advantages which no former monarch ever possessed.

But James V. who succeeded his father, was an infant of a year old; and though the office of regent was conferred on the duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death lord Home, and banished the earl of Angus, the two noblemen of greatest influence in the kingdom, the arif-

* Aber. ii. 540.

tocracy loſt no ground under his adminiſtration. A ſtranger to the manners, the laws, and the language of the people which he was called to rule, he acted, on ſome occaſions, rather like a viceroy of the French king, than the governor of Scotland; but the nobles aſſerted their own privileges, and contended for the intereſt of their country, with a boldneſs, which convinced him of their independency, and of the impotence of his own authority. After ſeveral unſucceſsful ſtruggles, he voluntarily retired to France, and the king being then in his thirteenth year, the nobles agreed that he ſhould aſſume the government, and that eight perſons ſhould be appointed to attend him by turns, and to adviſe and aſſiſt him in the adminiſtration of public affairs. The earl of Angus, who was one of that number, did not long remain ſatisfied with ſuch divided power. He gained ſome of his colleagues, removed others, and intimidated the reſt. When the term of his attendance expired, he ſtill retained authority, to which all were obliged to ſubmit, becauſe none of them was in a condition to diſpute it. The affection of the young king was the only thing wanting to fix and perpetuate his power. But an active and high-ſpirited prince ſubmitted to the reſtraint, in which he was kept, with great impatience. It ill ſuited his years or diſpoſition to be confined as a priſoner within his own palace; to be treated with no reſpect, and to be deprived of all power. He could not, on ſome occaſions, conceal his indignation and reſentment. Angus foreſaw that he had much to dread from theſe, and as he could not gain the king's heart, he reſolved to make ſure of his perſon. James was continually ſurrounded by the earl's ſpies and confidents; many eyes watched all his motions, and obſerved every ſtep he took. But the king's eagerneſs to obtain liberty, eluded all their vigilance. He eſcaped from Falkland, and fled to the caſtle of Stirling, the reſidence of the queen, his mother, and the only place of ſtrength in the kingdom, which was not in the hands of the Douglaſſes. The nobles, of whom ſome were influenced by their hatred

to Angus, and others by their reſpect for the king, crowded to Stirling, and his court was ſoon filled with perſons of the greateſt diſtinction. The earl, though aſtoniſhed at this unexpected revolution, reſolved at firſt to make one bold puſh for recovering his authority, by marching to Stirling at the head of his followers; but he wanted either courage or ſtrength to execute this reſolution. In a parliament held ſoon after, he and his adherents were attainted, and after eſcaping from many dangers, and enduring much miſery, he was at length obliged to fly into England for refuge.

James had now not only the name, but though extremely young, the full authority of a king, he was inferior to no prince of that age in gracefulneſs of perſon, or in vigour of mind. His underſtanding was good, and his heart warm; the former capable of great improvement, and the latter ſuſceptible of the beſt impreſſions. But, according to the uſual fate of princes who are called to the throne in their infancy, his education had been neglected. His private preceptors were more ready to flatter than to inſtruct him. It was the intereſt of thoſe who governed the kingdom, to prevent him from knowing too much. And the earl of Angus, in order to divert him from buſineſs, gave him an early taſte for ſuch pleaſures, as afterwards occupied and engroſſed him more than became a king. Accordingly we diſcover in James all the features of a great but uncultivated ſpirit. On the one hand, violent paſſions, implacable reſentment, an immoderate deſire of power, and the utmoſt rage at diſappointment. On the other, love to his people, zeal for the puniſhment of private oppreſſors, confidence in his favourites, and the moſt engaging openneſs and affability of behaviour.

What he himſelf had ſuffered from the exorbitant power of the nobles led him early to imitate his predeceſſors, in their attempts to humble them. The plan he formed for that purpoſe was more profound, more ſyſtematic, and purſued with greater conſtancy and ſteadineſs, than that of any of his anceſtors. And the

influence of the events in his reign upon thoſe of the ſubſequent period, render it neceſſary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to diſcover thoſe defects in the ſchemes adopted by former kings, which occaſioned their miſcarriage. The example of James I. had taught him, that wiſe laws operate ſlowly on a rude people, and the fierce ſpirit of the feudal nobles was not to be ſubdued by theſe alone. The effects of the violent meaſures of James II. convinced him, that the oppreſſion of one great family is apt either to excite the ſuſpicion and reſentment of the other nobles, or to enrich with its ſpoils ſome new family, which would ſoon adopt the ſame ſentiments, and become equally formidable to the crown. He ſaw, from the fatal end of James III. that neglect was ſtill more intolerable to the nobles than oppreſſion, and that the miniſtry of new men and favourites was both diſhonourable, and dangerous to a prince. At the ſame time, he felt that the authority of the crown was not ſufficient to counterbalance the power of the nobles, and that without ſome new acceſſion of ſtrength, he could expect no better ſucceſs in the ſtruggle than his anceſtors. In this extremity, he applied himſelf to the clergy, hoping that they would both reliſh his plan, and concur, with all their influence, in enabling him to put it into execution. Under the feudal government, the church being eſteemed a third eſtate, had its repreſentatives in parliament; the number of theſe was conſiderable, and they poſſeſſed great influence in that aſſembly. The ſuperſtition of former kings, and the zeal of an ignorant age, had beſtowed upon eccleſiaſtics, a great proportion of the national wealth, and the authority which they acquired by the reverence of the people, was ſuperior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithſtanding their attention to extend their uſurpations, had neglected Scotland as a diſtant and poor kingdom, and permitted its kings to exerciſe powers,

which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishoprics and abbeys*; and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it, by promoting his designs. Happily for him, the nobles had not yet recovered the blow given them at Flowden, and if we may judge, either from their conduct, or from the character given of them by sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity, or with vigour. Many of the clergy, on the other hand, were distinguished by their great abilities, and no less by their ambition. Various causes of disgust had arisen between them and the nobles, who despised their character, and envied their power, or their wealth. By acting in concert with the king, they not only gratified him, but avenged themselves, and hoped to aggrandize their own order, by depressing those, who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and sensible that a person, so far superior to the other nobles in abilities, might create many obstacles, which would retard, or render ineffectual all his schemes, he solemnly swore, that he would never permit him to return into Scotland; and, notwithstanding the repeated solicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stirling, and other castles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobles with the utmost coldness and reserve. Those offices, which they were apt, from long possession, to consider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and together

* Epist. Reg. Scot. 1. 197, &c. Act 125. P. 1540.

with a few gentlemen of inferior rank, to whom he had communicated his ſchemes, were intruſted with the management of all public affairs. Theſe miniſters were choſen with judgment; and cardinal Beatoun, who ſoon became the moſt eminent among them, was a man of ſuperior genius. They ſerved the king with fidelity, they carried on his meaſures with vigour, with reputation, and with ſucceſs. James no longer concealed his contempt of the nobles, and ſuffered no opportunity of mortifying them to eſcape. Slight offences were aggravated into real crimes, and puniſhed with ſeverity. Every accuſation againſt perſons of rank was heard with pleaſure, every appearance of guilt was examined with rigour, and every trial proved fatal to the perſon accuſed: the baniſhing Hepburn, earl of Bothwell, for reaſons extremely frivolous, the beheading the maſter of Forbes without ſufficient evidence of his guilt, and the condemning lady Glamis, a ſiſter of the earl of Angus, to be burnt for the crime of witchcraft, of which even that credulous age believed her innocent, are monuments both of the king's hatred of the nobles, of the ſeverity of his government, and of the ſtretches he made towards abſolute power. By theſe acts of authority, he tried the ſpirit of the nobles, and how much they were willing to bear. Their patience increaſed his contempt for them, and added to the ardour and boldneſs with which he purſued his plan. The nobles obſerved the tendency of his ſchemes with concern, and with reſentment; but the king's ſagacity, and the vigilance of his miniſters, and the want of a proper leader, made it dangerous to concert any meaſures for their defence, and impoſſible to act with becoming vigour. James and his counſellors, by a falſe ſtep which they took, preſented to them, at length, an advantage which they did not fail to improve.

Motives, which are well known, had prompted Henry VIII. to diſclaim the pope's authority, and to ſeize the revenues of the regular clergy. His ſyſtem of reformation ſatisfied none of his ſubjects. Some were enraged becauſe he had proceeded ſo far, others mur-

mured becauſe he proceeded no farther; and by his imperious temper, and alternate perſecution of the zealots for popery, and the converts to the proteſtant opinions, he was equally formidable to both. Henry was afraid that this general diſſatisfaction of his people might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and emperor courted the friendſhip of the king of Scots, and endeavoured to engage him in an alliance againſt England. He reſolved, therefore, to diſappoint the effects of their negociations, by entering into a cloſer union with his nephew, and for that purpoſe ſent ambaſſadors into Scotland to propoſe a perſonal interview with him at York. It was plainly James's intereſt to accept of this invitation; the aſſiſtance of ſo powerful an ally, the high honours which were promiſed him, and the liberal ſubſidies he might have obtained, would have added no little dignity to his domeſtic government, and muſt have greatly facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reaſon to apprehend, if he rejected Henry's offers of friendſhip, was inconſiſtent with all his views. This would bring him to depend upon his nobles; an army could not be raiſed without their aſſiſtance: to call nobles incenſed againſt their prince into the field, was to unite his enemies, to make them ſenſible of their own ſtrength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all theſe conſequences might follow a breach with England, liſtened at firſt to Henry's propoſal, and conſented to the interview at York. But the clergy dreaded an union, which muſt have been eſtabliſhed on the ruins of the church. Henry had taken great pains to infuſe into his nephew his own ſentiments concerning religion, and had frequently ſolicited him by ambaſſadors, to renounce the uſurped dominion of the pope, which was no leſs diſhonourable to princes, than grievous to their ſubjects. The clergy had hitherto, with great addreſs, diverted the king from regarding theſe ſolicitations. But, in an amica-

ble conference, Henry expected, and they feared that James would yield to his entreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that their pride and ambition raised the indignation of the nobles; that their indecent lives gave offence to the people; that the proteſtant opinions were ſpreading faſt throughout the nation; and that an univerſal defection from the eſtabliſhed church, would be the conſequence of giving the ſmalleſt degree of encouragement to theſe principles. For theſe reaſons, they employed all their credit with the king, and had recourſe to every artifice and inſinuation, in order to divert him from a journey, which muſt have been ſo fatal to their intereſt. They endeavoured to inſpire him with fear, by magnifying the danger to which he would expoſe his perſon, by venturing ſo far into England, without any ſecurity but the word of a prince, who having violated every thing venerable and ſacred in religion, was no longer to be truſted; and by way of compenſation for the ſums which he might have received from Henry, they offered an annual donative of fifty thouſand crowns; they promiſed to contribute liberally towards carrying on a war with England, and flattered him with the proſpect of immenſe riches, ariſing from the forfeiture of perſons who were to be tried and condemned as heretics. Influenced by theſe conſiderations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch, reſented the affront, by declaring war againſt Scotland. His army was ſoon ready to invade the kingdom. James was obliged to have recourſe to the nobles, for the defence of his dominions. At his command, they aſſembled their followers; but with the ſame diſpoſitions which animated their anceſtors in the reign of James III. and with a full reſolution of imitating their example, by puniſhing thoſe to whom they imputed the grievances, of which they had reaſon to complain; and if the king's miniſters

had not been men of abilities, ſuperior to thoſe of James III. and of conſiderable intereſt even with their enemies, who could not agree among themſelves what victims to ſacrifice, the camp of Fala would have been as remarkable as that of Lawder, for the daring encroachments of the nobles on the prerogative of the prince. But though his miniſters were ſaved by this accident, the nobles had ſoon another opportunity of diſcovering to the king their diſſatisfaction with his government, and their contempt of his authority. Scarcity of proviſions, and the rigour of the ſeaſon having obliged the Engliſh army which had invaded Scotland to retire, James imagined that he could attack them, with great advantage, in their retreat; but the nobles, with an obſtinacy and diſdain, which greatly aggravated their diſobedience, refuſed to advance a ſtep beyond the limits of their own country. Provoked by this inſult to himſelf, and ſuſpicious of a new conſpiracy againſt his miniſters, the king inſtantly diſbanded an army, which paid ſo little regard to his orders, and he returned abruptly into the heart of the kingdom.

An ambitious and high-ſpirited prince could not brook ſuch a mortifying affront. His hopes of ſucceſs had been raſh, and his deſpair upon a diſappointment was exceſſive. He felt himſelf engaged in an unneceſſary war with England, which, inſtead of yielding him the laurels and triumphs that he expected, had begun with ſuch circumſtances, as encouraged the inſolence of his ſubjects, and expoſed him to the ſcorn of his enemies. He ſaw how vain and ineffectual all his projects to humble the nobles had been, and that, though in times of peace, a prince may endeavour to depreſs them, they will riſe, during war, to their former importance and dignity. Impatience, reſentment, indignation, filled his boſom by turns. The violence of theſe paſſions altered his temper, and, perhaps, impaired his reaſon. He became penſive, ſullen, and retired. He ſeemed, through the day, to be ſwallowed up in profound meditation, and through the night, he was diſturbed with thoſe viſionary terrors which make

impreſſion upon a weak underſtanding only, or a diſordered fancy. In order to revive the king's ſpirits, an inroad on the weſtern borders was concerted by his miniſters, who prevailed upon the barons in the neighbouring provinces to raiſe as many troops as were thought neceſſary, and to enter the enemy's country. But nothing could remove the king's averſion for his nobility, or diminiſh his jealouſy of their power. He would not even intruſt them with the command of the forces which they had aſſembled: that was reſerved for Oliver Sinclair his favourite, who no ſooner appeared to take poſſeſſion of the dignity conferred upon him, than rage and indignation occaſioned an univerſal mutiny in the army. Five hundred Engliſh, who happened to be drawn up in ſight, attacked the Scots in this diſorder. Hatred to the king, and contempt of their general produced an effect, to which there is no parallel in hiſtory. They overcame the fear of death, and the love of liberty; and ten thouſand men ſurrendered to a number ſo far inferior, without ſtriking a ſingle blow. No man was deſirous of a victory, which would have been acceptable to the king and to his favourite; few endeavoured to ſave themſelves by flight; the Engliſh had the choice of what priſoners they pleaſed to take; almoſt every perſon of diſtinction, who was engaged in the expedition, remained in their hands. This aſtoniſhing event was a new proof to the king of the general diſaffection of the nobles, and a new diſcovery of his own weakneſs and want of authority. Incapable of bearing theſe repeated inſults, and unable to revenge them, his ſpirit ſunk altogether. The deepeſt melancholy and deſpair ſucceeded to the furious tranſports of rage and indignation, which the firſt account of the rout of his army occaſioned. All the violent paſſions, which are the enemies of life, preyed upon his mind, and waſted and conſumed a youthful and vigorous conſtitution. Some authors of that age impute his untimely death to poiſon; but the diſeaſes of the mind, when they riſe to an height, are often mortal; and the known effects of diſappointment, rage, and in-

dignation upon a ſanguine and impetuous temper, ſufficiently account for his unhappy fate. "His death (ſays Drummond) proveth his mind to have been raiſed to an high ſtrain, and above mediocrity; he could die, but could not digeſt a diſaſter." Had James ſurvived this misfortune, one of two things muſt have happened: either the violence of his temper would have engaged him openly to attack the nobles, who would have found in Henry a willing and powerful protector, and have derived the ſame aſſiſtance from him, which the malcontents, in the ſucceeding reign, did from his daughter Elizabeth; in that caſe, a dangerous civil war would have been the certain conſequence. Or, perhaps, neceſſity might have obliged him to accept of Henry's offers, and be reconciled to his nobles. In that event, the church would have fallen a ſacrifice to their union, a reformation, upon Henry's plan, would have been eſtabliſhed by law, a great part of the temporalities of the church would have been ſeized, and the friendſhip of the king and nobles cemented by dividing its ſpoils.

Such were the efforts of our kings, towards reducing the exorbitant power of the nobles. If they were not attended with ſucceſs, we muſt not, for that reaſon, conclude that they were not conducted with prudence. Every circumſtance ſeems to have combined againſt the crown. Accidental events concurred with political cauſes, in rendering the beſt concerted meaſures abortive. The aſſaſſination of one king, the ſudden death of another, and the fatal deſpair of a third, contributed no leſs than its own natural ſtrength, to preſerve the ariſtocracy from ruin.

Amidſt theſe ſtruggles, the influence which our kings poſſeſſed in their parliament, is a circumſtance ſeemingly inexplicable, and which merits particular attention. As theſe aſſemblies were compoſed chiefly of the nobles, they, we are apt to imagine, muſt have dictated all their deciſions; but, inſtead of this, every king found them obſequious to his will, and obtained ſuch laws as he eſteemed neceſſary for extending his authori-

ty. All things were conducted there with diſpatch and unanimity; and, in none of our hiſtorians, do we find an inſtance of any oppoſition formed againſt the court in parliament, or mention of any difficulty in carrying through the meaſures which were agreeable to the king. In order to account for this ſingular fact, it is neceſſary to inquire into the origin and conſtitution of parliament.

The genius of the feudal government, uniform in all its operations, produced the ſame effects in ſmall, as in great ſocieties; and the territory of a baron was, in miniature, the model of a kingdom. He poſſeſſed the right of juriſdiction, but thoſe who depended on him, being free men, and not ſlaves, could be tried by their peers only; and, therefore, his vaſſals were bound to attend his courts, and to aſſiſt both in paſſing and executing his ſentences. When aſſembled, on theſe occaſions, they eſtabliſhed, by mutual conſent, ſuch regulations, as tended to the welfare of their ſmall ſociety; and often granted, voluntarily, ſuch ſupplies to their *ſuperior*, as his neceſſities required. Change now a ſingle name: in place of baron, ſubſtitute king, and we behold a parliament in its firſt rudiments, and obſerve the firſt exertions of thoſe powers, which its members now poſſeſs as judges, as legiſlators, and as diſpenſers of the public revenues. Suitable to this idea are the appellations of the *King's Court**, and of the *King's Great Council*, by which parliaments were anciently diſtinguiſhed; and ſuitable to this, likewiſe, were the conſtituent members of which it was compoſed. In all the feudal kingdoms, thoſe who held the king *in chief* were bound, by the condition of their tenure, to attend and to aſſiſt in his courts. Nor was this eſteemed a privilege, but a ſervice. It was exacted likewiſe of biſhops, abbots, and the greater eccleſiaſtics, who, holding vaſt poſſeſſions of the crown, were deemed ſubject to the ſame burden. Parliaments did not continue long in this ſtate. Cities gradually acquired wealth, a

* Du Cange, voc. Curia.

conſiderable ſhare of the public taxes were levied on them, the inhabitants grew into eſtimation, and being enfranchiſed by the ſovereign, a place in parliament was the conſequence of their liberty, and of their importance. But as it would have been abſurd to confer ſuch a privilege, or to impoſe ſuch a burden on a whole community, every borough was permitted to chuſe one or two of its citizens to appear in the name of the corporation; and the idea of *repreſentation* was firſt introduced in this manner. An innovation ſtill more important naturally followed. The vaſſals of the crown were originally few in number, and extremely powerful; but as it is impoſſible to render property fixed and permanent, many of their poſſeſſions came, gradually, and by various methods of alienation, to be ſplit and parcelled out into different hands. Hence aroſe the diſtinction between the *greater* and *leſſer barons*. The former were thoſe who retained their original fiefs undivided, the latter were the new and leſs potent vaſſals of the crown. Both were bound, however, to perform all feudal ſervices, and, of conſequence, to give attendance in parliament. To the leſſer barons, who formed no inconſiderable body, this was an intolerable grievance. Barons ſometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance, and the anxiety, with which our anceſtors endeavoured to get free from the obligation of ſitting in parliament, is ſurpaſſed by that only, with which their poſterity ſolicit to be admitted there. In order to accommodate both parties, and, at once, to ſecure to the king a ſufficient number of members in his great council, and to ſave his vaſſals from an unneceſſary burden, an eaſy expedient was found out. The obligation to perſonal attendance was continued upon the greater barons, from which the leſſer barons were exempted, on condition of their electing, in each county, a certain number of *repreſentatives*, to appear in their name. Thus a parliament became complete in all its members, and was compoſed of lords ſpiritual and temporal, of knights of

the ſhires, and of burgeſſes. As many cauſes contributed to bring government earlier to perfection in England than in Scotland, as the rigour of the feudal inſtitutions abated ſooner; and its defects were ſupplied with greater facility in the one kingdom, than in the other: England led the way in all theſe changes, and burgeſſes and knights of the ſhire appeared in the parliaments of that nation, before they were heard of in ours. Burgeſſes were firſt admitted into the Scottiſh parliaments by Robert Bruce*, and in the preamble to the laws of Robert III. they are ranked among the conſtituent members of that aſſembly. The leſſer barons were indebted to James I. for a ſtatute exempting them from perſonal attendance, and permitting them to elect repreſentatives; the exemption was eagerly laid hold on, but the privilege was ſo little valued, that, except one or two inſtances, it lay neglected during one hundred and ſixty years, and James VI. firſt obliged them to ſend repreſentatives regularly to parliament†.

A Scottiſh parliament, then, conſiſted anciently of great barons, of eccleſiaſtics, and a few repreſentatives of boroughs. Nor were theſe divided, as in England, into two houſes, but compoſed one aſſembly, in which the lord chancellor preſided‡. And in rude ages, when

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* Abercromby, i. 635.

† Eſſays on Brit. Antiq. Eſſ. II. Dalrymp. Hiſt. of Feud. Prop. ch. 8.

‡ In England, the peers and commons ſeem early to have met in ſeparate houſes; and James I. who was fond of imitating the Engliſh in all their cuſtoms, had probably an intention of introducing ſome conſiderable diſtinction between the greater and leſſer barons in Scotland; at leaſt he determined that their conſultations ſhould not be carried on under the direction of the ſame preſident; for, by his law, A.D. 1427, it is provided, "that out of the commiſſioners of all the ſhires ſhall be choſen a wiſe and expert man, called the common ſpeaker of the parliament, who ſhall propoſe

the ſcience of government was extremely imperfect, among a martial people, unacquainted with the arts of peace, ſtrangers to the talents which make a figure in debate, and deſpiſing them, parliaments were not held in the ſame eſtimation as at preſent; nor did haughty barons love thoſe courts in which they appeared with ſuch evident marks of inferiority. Parliaments were often haſtily aſſembled, and it was, probably, in the king's power, by the manner in which he iſſued his writs for that purpoſe, to exclude thoſe who were averſe from his meaſures. At a time when deeds of violence were common, and the reſtraints of law and decency were little regarded, no man could venture with ſafety to oppoſe the king in his own court. The great barons, or lords of parliament, were extremely few; even ſo late as the beginning of James VI's. reign*, they amounted only to fifty-three. The eccleſiaſtics equalled them in number, and being devoted implicitly to the crown, for reaſons which have been already explained, rendered all hopes of victory in any ſtruggle deſperate. Nor were the nobles themſelves ſo anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative; conſcious of their own ſtrength, and of the king's inability to carry theſe acts into execution without their concurrence, they truſted either to elude, or to contemn them; and the ſtatute revoking the king's property, and annexing alienated juriſdictions to the crown, repeated in every reign, and violated and deſpiſed as often, is a ſtanding proof of the impotence of laws, when oppoſed to power. So many concurring cauſes are ſufficient, perhaps, to account for the aſcendence which our kings acquired in parliament. But without hav-

all and ſundry needs and cauſes pertaining to the commons in the parliament or general council." No ſuch ſpeaker, it would ſeem, was ever choſen; and, by a ſubſequent law, the chancellor was declared perpetual preſident in parliament.

* And. Coll. vi. i. pref. 40.

ing recourſe to any of theſe, a ſingle circumſtance, peculiar to the conſtitution of the Scottiſh parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, ſeemingly ſo repugnant to all our reaſonings concerning the weakneſs of the king, and the power of the nobles.

As far back as our records enables us to trace the conſtitution of our parliaments, we find a committee, diſtinguiſhed by the name of *Lords of Articles*. It was their buſineſs to prepare and to digeſt all matters which were to be laid before the parliament; every motion for a new law was firſt made there, and approved or rejected by them at pleaſure; what they approved, was formed into a bill, and preſented to parliament; what they rejected, could not be introduced into the houſe. This committee owed the extraordinary powers veſted in it, to the military genius of the ancient nobles; too impatient to ſubmit to the drudgery of civil buſineſs, too impetuous to obſerve the forms, or to enter into the details neceſſary in conducting it, they were glad to lay that burden upon a ſmall number, while they themſelves had no other labour than ſimply to give or to refuſe their ſanction to the bills which were preſented to them. The lords of articles, then, not only directed the whole proceedings of parliament, but poſſeſſed a negative before debate. That committee was choſen and conſtituted in ſuch a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that the king once had the ſole right of nominating the lords of articles†. They came after-

† It appears, from authentic records, that a parliament was appointed to be held, March 12, 1566, and that the lords of articles were choſen, and met on the 7th, five days before the aſſembling of parliament. If they could be regularly elected ſo long before the meeting of parliament, it is natural to conclude, that the prince alone poſſeſſed the right of electing them There are two different accounts of the manner of their election at that time, one by Mary herſelf, in a letter to

wards to be elected by the parliament, and conſiſted of an equal number out of each eſtate, and moſt commonly of eight temporal and eight ſpiritual lords, of eight repreſentatives of boroughs, and of the eight great officers of the crown. Of this body, the eight eccleſiaſtics, together with the officers of the crown, were entirely at the king's devotion, and it was ſcarce poſſible that the choice could fall on ſuch temporal lords and burgeſſes as would unite in oppoſition to his meaſures. Capable either of influencing their election, or gaining them when elected, the king commonly found the lords of articles no leſs obſequious to his will, than his own privy council, and by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and what may ſeem altogether incredible, the moſt limited prince in Europe actually poſſeſſed, in one inſtance, a prerogative which the moſt abſolute could never attain *.

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the archbiſhop of Glaſgow, "We, accompanied with our nobility, for the time, paſt to the tolbuith of Edinburgh, for holding of our parliament on the 7th day of this inſtant, and elected the lords articulars." If we explain theſe words, according to ſtrict grammar, we muſt conclude, that the Queen herſelf elected them. It is however, more probable, that Mary meant to ſay, that the nobles then preſent with her, viz. her privy counſellors, and others elected the lords of articles, Keith's Hiſt. of Scotland, p. 331. The other account is lord Ruthven's, who expreſsly affirms that the queen herſelf elected them. Keith's Append. 126. Whether we embrace the one or the other of theſe opinions, is of no conſequence. If the privy counſellors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the ſole nomination of them.

* Having deduced the hiſtory of the committee of lords of articles, as low as the ſubject of this preliminary book required, it may be agreeable, perhaps, to ſome readers, to know the ſubſequent variations in this ſingu-

To this account of the internal conſtitution of Scotland, it will not be improper to add a view of the political ſtate of Europe at that period, where the following hiſtory commences. A thorough knowledge of that general ſyſtem, of which every kingdom in Europe

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lar inſtitution, and the political uſe which our kings made of theſe. When parliaments became more numerous, and more conſiderable by the admiſſion of the repreſentatives of the leſſer barons, the preſerving their influence over the lords of articles, likewiſe became an object of greater importance to our kings. James VI. on pretence, that the lords of articles could not find leiſure to conſider the great multitude of affairs laid before them, obtained an act, appointing four perſons to be named out of each ESTATE, who ſhould meet twenty days before the commencement of parliament †, to receive all ſupplications, &c. and rejecting what they thought frivolous, ſhould engroſs in a book what they thought worthy the attention of the lords of articles. No proviſion is made in the act for the choice of this ſelect body, and the king would, of courſe, have claimed that privilege. In 1633, when Charles I. was beginning to introduce thoſe innovations which gave ſo much offence to the nation, he dreaded the oppoſition of his parliament, and in order to prevent that, an artifice was made uſe of to ſecure the lords of articles for the crown. The temporal peers were appointed to chuſe eight biſhops, and the biſhops eight peers; theſe ſixteen met together, and elected eight knights of the ſhire, and eight burgeſſes, and to theſe the crown officers were added as uſual. If we can only ſuppoſe eight perſons of ſo numerous a body, as the peers of Scotland were become by that time, attached to the court, theſe it is obvious, would be the men whom the biſhops would chuſe, and of conſequence, the whole lords of articles were the tools and creatures of the king. This practice, ſo inconſiſtent with liberty, was aboliſhed during the civil war; and

† Act 222. P. 1594.

forms a part, is not less requisite towards understanding the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions, but without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

The subversion of the feudal government in France, and its declension in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconsiderable when broken, and parcelled out among nobles, acquired firmness and strength, by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raised, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had hitherto consisted, though proper enough for the short and voluntary excursions of nobles who served at their own

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the statute of James VI. was repealed. After the Restoration, parliaments became more servile than ever. What was only a temporary device, in the reign of Charles I. was, then, converted into a standing law. "For my part," says the author from whom I have borrowed many of these particulars, "I should have "thought it less criminal in our Restoration parliament, "to have openly bestowed upon the king a negative be- "fore debate, than in such an underhand artificial man- "ner, to betray their constituents, and the nation." Essays on Brit. Antiq. 55. It is probable, however, from a letter of Randolph's to Cecil, 10th Aug. 1560, that this parliament had some appearance of an ancient precedent to justify their unworthy conduct.

expence, were found to be unfit either for making, or defending any important conqueſt.

It was in Italy, that the powerful monarchs of France and Spain and Germany firſt appeared to make a trial of their own ſtrength. The diviſion of that country into ſo many ſmall ſtates, the luxury of the people, and their effeminate averſion for war, invited their more martial neighbours to an eaſy prey. The Italians, who had been accuſtomed to mock battles only, and to decide their quarrels by innocent and bloodleſs victories, were aſtoniſhed at the ſight of real war; and as they could not reſiſt the torrent, they ſuffered it to take its courſe, and to ſpend its rage. Intrigue and policy ſupplied the want of ſtrength; and neceſſity and ſelf-preſervation taught that ingenious people the great ſecret of modern politics, and ſhewed them how to balance the power of one prince, by throwing that of another into the oppoſite ſcale. By this happy device, the liberty of Italy was long preſerved. The ſcales were poiſed by very ſkilful hands; the ſmalleſt variations were attended to, and no prince was allowed to retain any ſuperiority, that could be dangerous.

A ſyſtem of conduct, purſued with ſo much ſucceſs in Italy was not long confined to that country of political refinement. The maxim of preſerving a balance of power is founded ſo much upon obvious reaſoning, and the ſituation of Europe rendered it ſo neceſſary, that it ſoon became a matter of chief attention to all wiſe politicians. Every ſtep any prince took was obſerved by all his neighbours. Ambaſſadors, a kind of honourable ſpies, authoriſed by the mutual jealouſy of kings, reſided almoſt conſtantly at every different court, and had it in charge to watch all its motions. Dangers were foreſeen at a greater diſtance, and prevented with more eaſe. Confederacies were formed to humble any power which roſe above its due proportion. Revenge or ſelf-defence were no longer the only cauſes of hoſtility, it became common to take arms out of policy; and war, both in its commencement, and in its operations, was more an exerciſe of the judgment, than of the paſſions of men.

Almoſt every war in Europe became general, and the moſt inconſiderable ſtates acquired importance, becauſe they could add weight to either ſcale.

Francis I. who mounted the throne of France in the year 1515, and Charles V. who obtained the Imperial crown in the year 1519, divided between them the ſtrength and affections of all Europe. Their perpetual enmity was not owing either to perſonal jealouſy, or to the caprice of private paſſion, but was founded ſo much in nature and true policy, that it ſubſiſted between their poſterity for ſeveral ages; and, notwithſtanding their preſent accidental and unnatural union, muſt again revive. Charles ſucceeded to all the dominions of the houſe of Auſtria. No family had ever gained ſo much by wiſe and fortunate marriages. By acquiſitions of this kind the Auſtrian princes roſe, in a ſhort time, from obſcure Counts of Hapſbourg, to be archdukes of Auſtria, and kings of Bohemia, and were in poſſeſſion of the Imperial dignity by a ſort of hereditary right. Beſides theſe territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the houſe of Burgundy. The Burgundian provinces engroſſed, at that time, the riches and commerce of one half of Europe; and he drew from them, on many occaſions, thoſe immenſe ſums, which no people without trade and liberty are able to contribute. Spain furniſhed him a gallant and hardy infantry, to whoſe diſcipline he was indebted for all his conqueſts. And at the ſame time, by the diſcovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhauſt. Theſe advantages rendered Charles the firſt prince in Europe; but he wiſhed to be more, and openly aſpired to univerſal monarchy. His genius was of that kind which ripens ſlowly, and lies long concealed; but it grew up without obſervation, to an unexpected height and vigour. He poſſeſſed, in an eminent degree, the characteriſtic virtues of all the different races of princes to whom he was allied. In forming his ſchemes, he diſcovered all the ſubtilty and penetration of Ferdinand

his grand-father; he purſued them with that obſtinate and inflexible perſeverance which has ever been peculiar to the Auſtrian blood; and in executing them he could employ the magnanimity and boldneſs of his Burgundian anceſtors. His abilities were equal to his power, and neither of them would have been inferior to his deſigns, had not providence, in pity to mankind, and in order to preſerve them from the worſt of all evils, univerſal monarchy, raiſed up Francis I. to defend the liberty of Europe. His dominions were leſs extenſive, but more united than the emperor's. His ſubjects were numerous, active and warlike, lovers of glory, and lovers of their king. To Charles power was the only object of deſire, and he purſued it with an unwearied and joyleſs induſtry. Francis could mingle pleaſure and elegance with his ambition, and though he neglected ſome advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage ſupplied all his defects, and checked or defeated many of the emperor's deſigns.

The reſt of Europe obſerved all the motions of theſe mighty rivals, with a jealous attention. On the one ſide, the Italians ſaw the danger which threatened Chriſtendom, and in order to avert it had recourſe to the expedient, which they had often employed with ſucceſs. They endeavoured to divide the power of the two contending monarchs into equal ſcales, and by the union of ſeveral ſmall ſtates, to counterpoiſe him, whoſe power became too great. But what they concerted with much wiſdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences againſt the encroachments of military power

On the other ſide, Henry VIII. of England held the balance with leſs delicacy, but with a ſtronger hand. He was the third prince of the age in dignity and in power; and the advantageous ſituation of his dominions, his domeſtic tranquillity, his immenſe wealth and abſolute authority rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his intereſt to keep

the balance even, and to reſtrain both, by not joining entirely with either of them. But he was ſeldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the paſſions of the man were an overmatch for the maxims of the king. Vanity and reſentment were the great ſprings of all his undertakings, and his neighbours eaſily found the way, by touching theſe, to force him upon many raſh and inconſiſtent enterpriſes. His reign was a perpetual ſeries of blunders in politics, and while he eſteemed himſelf the wiſeſt prince in Europe, he was a conſtant dupe to thoſe who found it neceſſary, and could ſubmit to flatter him.

In this ſituation of Europe, Scotland, which had hitherto waſted her ſtrength in the quarrels between France and England, emerged from her obſcurity, took her ſtation in the ſyſtem, and began to have ſome influence upon the fate of diſtant nations. Her aſſiſtance was frequently of conſequence to the contending parties, and the balance was often ſo nicely adjuſted, that it was in her power to make it lean to either ſide. The part aſſigned her was to divert Henry from carrying his arms into the continent. That prince, having routed the French at Guinegat, and inveſted Terouenne, Francis attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the ſame reaſon, Francis aſſiſted and encouraged the duke of Albany to ruin the families of Angus and Home, which were in the intereſt of England, and would willingly have perſuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united not long after againſt the emperor, it was the intereſt of both kings, that the Scots ſhould continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and to embarraſs Henry by another inroad of the Scots. For this end, he made great advances to James V. flattering the vanity of the young monarch by electing him a knight of the golden fleece, and by offering him a match

in the Imperial family; and in return for theſe empty honours, he demanded of him to renounce his alliance with France, and to declare war againſt England. But James, who had much to loſe, and who could gain little by embracing the emperor's propoſals, rejected them with decency, and keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole ſtrength.

Henry himſelf began his reign, by imitating the example of his anceſtors with regard to Scotland. He held its power in ſuch extreme contempt, that he was at no pains to gain its friendſhip; but on the contrary, he irritated the whole nation, by reviving the antiquated pretenſions of the crown of England to the ſovereignty over Scotland. But his own experience, and the example of his enemies, gave him an higher idea of its importance. It was impoſſible to defend an open and extenſive frontier, againſt the incurſions of an active and martial people. During any war on the continent, this obliged him to divide the ſtrength of his kingdom. It was neceſſary to maintain a kind of army of obſervation in the north of England; and after all precautions, the Scottiſh borderers, who were ſuperior to all mankind in the practice of irregular war, often made ſucceſsful inroads, and ſpread terror and deſolation over many counties. He fell, at laſt, upon the true ſecret of policy, with reſpect to Scotland, which his predeceſſors had too little penetration to diſcover, or too much pride to employ. The ſituation of the country, and the bravery of the people made the conqueſt of Scotland impoſſible; but the national poverty, and the violence of faction rendered it an eaſy matter to divide and to govern it. He abandoned, therefore, the former deſign, and reſolved to employ the utmoſt addreſs in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a ſubſidy. But, in all ages, the ſame arguments have been good in courts, and of weight with miniſters, factious leaders, and favourites. What were the arguments by which Henry brought over ſo many to his intereſt

during the minority of James V. we know by the original warrants for remitting conſiderable ſums into Scotland, which are ſtill extant†. By a proper diſtribution of theſe, many perſons of note were gained to his party, and a faction which held ſecret correſpondence with England, and received all its directions from thence, appears henceforward in all our domeſtic conteſts. In the ſequel of the hiſtory, we ſhall find Henry labouring to extend his influence in Scotland. His ſucceſſors adopted the ſame plan, and improved upon it. The affairs of the two kingdoms became interwoven, and their intereſts were often the ſame. Elizabeth divided her attention almoſt equally between them, and the authority which ſhe inherited in the one, was not greater than that which ſhe acquired in the other.

† Burn. Hiſt. Ref. v. i. p. -.

THE

HISTORY

OF

SCOTLAND.

BOOK SECOND.

CONTENTS.

Birth of Queen Mary. State of Scotland. Earl of Arran Regent. Schemes of Henry VIII. State of Parties. Perſecution of the Reformers. Invaſion of Scotland. A Peace. The murder of Beatoun. New breach with England. Battle of Pinkey. Treaty with France. Peace concluded. Queen Dowager Regent. Progreſs of the Reformation. Its cauſes. Marriage of Queen Mary with the Dauphin. Elizabeth. Perſecution of the Reformed. Conduct of the Queen Regent. Her fraud. Inſurrection at Perth. A treaty concluded. A ſecond rupture. A ſecond treaty made and violated. Succeſs of the Proteſtants. A third treaty. Acceſſion of Francis II. Troops arrive from France. Proteſtants take arms. Deprive the Queen Regent of authority.

MARY queen of Scots was born a few days before the death of her father James V. The ſituation in which he left the kingdom alarmed all ranks of men with the proſpect of a turbulent and diſaſtrous reign. A war againſt England had been undertaken without neceſſity, and carried on without ſucceſs. Many perſons of the firſt rank had fallen into the hands of the Engliſh, in the unfortunate rout near the frith of Solway, and were ſtill priſoners at London. Among the reſt of the nobles there was little union, either in their views, or in their

affections; and the religious diſputes, occaſioned by the opinions of the reformers, growing every day more violent, added to the rage of thoſe factions which are natural to a form of government nearly ariſtocratical.

The government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was ſtill more deſtitute of real authority; and the proſpect of a long and feeble minority invited to faction, by the hope of impunity. James had not even provided the common remedy againſt the diſorders of a minority, by committing to proper perſons the care of his daughter's education, and the adminiſtration of affairs in her name. Though he ſaw the clouds gathering, and foretold that they would quickly burſt into a ſtorm, he was ſo little able to diſperſe them, or to defend his daughter and kingdom againſt theſe imminent calamities, that, in mere deſpair, he abandoned them both to the mercy of fortune, and left open to every pretender, the office of regent, which he could not fix to his own ſatisfaction.

Cardinal Beatoun, who had for many years been conſidered as prime miniſter, was the firſt who claimed that high dignity; and, in ſupport of his pretenſions, he produced a teſtament*, which he himſelf had forged in the name of the late king; and, without any other right, inſtantly aſſumed the title of regent. He hoped, by the aſſiſtance of the clergy, the countenance of France, the connivance of the queen dowager, and the ſupport of the whole popiſh faction, to hold by force, what he had ſeized on by fraud. But Beatoun had enjoyed power too long to be a favourite of the nation. Thoſe among the nobles who wiſhed for a reformation in religion dreaded his ſeverity, and others conſidered the elevation of a churchman to the higheſt office of the kingdom as a depreſſion of themſelves. At their inſtigation, James Hamilton, earl of Arran, and next heir to the queen, rouſed himſelf from his inac-

* Sadler's Lett. 161.

tivity, and was prevailed on to aſpire to that ſtation, to which proximity of blood, and the practice of the kingdom gave him an undoubted title. The nobles, who were aſſembled for that purpoſe, unanimouſly conferred on him the office of regent; and the public voice applauded their choice.

No two men differed more widely in diſpoſition and character, than the earl of Arran and cardinal Beatoun. The cardinal was by nature of immoderate ambition; by long experience he had acquired addreſs and refinement; and inſolence grew upon him by continual ſucceſs. His high ſtation in the church placed him in the way of great employments; his abilities were equal to the greateſt of theſe; nor did he reckon any of them to be above his merit. As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that ſuperſtition, and for the ſame reaſon an avowed enemy to the doctrine of the reformers. Political motives alone determined him to ſupport the one, or to oppoſe the other. His early application to public buſineſs kept him unacquainted with the learning and controverſies of the age; he gave judgment, however, upon all the points in diſpute, with a precipitancy, violence, and rigour, which cotemporary hiſtorians mention with indignation.

The character of the earl of Arran was, in almoſt every thing, the reverſe of the cardinal. He was neither infected with ambition, nor inclined to cruelty: the love of eaſe extinguiſhed the former, the gentleneſs of his temper preſerved him from the latter. Timidity and irreſolution were his predominant failings; the one occaſioned by his natural conſtitution, and the other ariſing from a conſciouſneſs that his abilities were not equal to his ſtation. With theſe diſpoſitions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or conſiſtence. The perpetual ſlave of his own fears, and, by conſequence, the perpetual tool of thoſe, who found their advantage in practiſing upon them. But as no other perſon could be ſet in oppoſition to the cardinal,

with any probability of ſucceſs, the nation declared in his favour with ſo general a conſent, that the artifices of his rival could not withſtand its united ſtrength.

The earl of Arran had ſcarce taken poſſeſſion of his new dignity, when a negociation was opened with England, which gave birth to events of the moſt fatal conſequence to himſelf and to the kingdom. After the death of James, Henry VIII. was no longer afraid of any interruption from Scotland to his deſigns againſt France; and immediately conceived hopes of rendering this ſecurity perpetual, by the marriage of Edward, his only ſon, with the young queen of Scots. He communicated his intention to the priſoners taken at Solway, and prevailed on them to favour it, by the promiſe of liberty, as the reward of their ſucceſs. In the mean time, he permitted them to return into Scotland, that, by their preſence in the parliament which the regent had called, they might be the better able to perſuade their countrymen to fall in with his propoſals. A cauſe, intruſted to ſuch able and zealous advocates, could not well miſs of coming to an happy iſſue. All thoſe who feared the cardinal, or who deſired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own perſons, againſt the rage of that powerful and haughty prelate.

But Henry's rough and impatient temper was incapable of improving this favourable conjuncture. Addreſs and delicacy in managing the fears, and follies, and intereſts of men, were arts with which he was utterly unacquainted. The deſigns he had formed upon Scotland were obvious from the marriage which he had propoſed, and he had not dexterity enough to diſguiſe, or to conceal them. Inſtead of yielding to the fear or jealouſy of the Scots, what time and accidents would ſoon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's perſon ſhould be immediately committed to his cuſtody, and that the government of the kingdom ſhould be put into his hands during her minority.

Henry could not have prescribed more ignominious conditions to a conquered people, and it is no wonder they were rejected with indignation, by men who scorned to purchase an alliance with England at the price of their own liberty. The parliament of Scotland, however, influenced by the nobles who returned from England, desirous of peace with that kingdom, and delivered, by the regent's confining the cardinal as a prisoner, from any opposition to which he might have given rise, consented to a treaty of marriage and of union, but upon somewhat of a more equal footing. And after some dark and unsuccessful intrigues, by which his ambassador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own proposals, and to accept of theirs. On his side, he consented that the queen should continue to reside in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to send their sovereign into England so soon as she attained the full age of ten years, and instantly to deliver six persons, of the first rank, to be kept as hostages by Henry till the queen's arrival at his court.

The treaty was still so manifestly of advantage to England, that the regent lost much of the public confidence by consenting to it. The cardinal, who had now recovered liberty, watched for such an opportunity of regaining credit, and he did not fail to cultivate and improve this to the utmost. He complained loudly, that the regent had betrayed the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true catholic religion, under the tyranny of an excommunicated heretic; but above all, he lamented to see an ancient kingdom consenting to its own slavery, descending into the ignominious station of a dependent province; and, in one hour, the weakness or treachery of a single man surrendering every thing, for which the Scottish nation had struggled and fought during so many ages. These remonstrances of the cardinal were

not without effect. They were addreſſed to prejudices and paſſions which are deeply rooted in the human heart. The ſame hatred to the ancient enemies of their country, the ſame jealouſy of national honour, and pride of independence, which, at the beginning of the preſent century, went near to prevent the Scots from conſenting to an union with England, upon terms of great advantage, did, at that time, induce the whole nation to declare againſt the alliance which had been concluded. In the one period, an hundred and fifty years of peace between the two nations, the habit of being ſubjected to the ſame king, and governed by the ſame maxims, had conſiderably abated old animoſities, and prepared both people for incorporating. In the other, injuries were ſtill freſh, and the wounds on both ſides open; and, in the warmth of reſentment, it was natural to ſeek revenge, and to be averſe from reconcilement. At the union, in 1707, the wiſdom of parliament deſpiſed the groundleſs murmurs occaſioned by antiquated prejudices; but in 1543 the complaints of the nation were better founded, and urged with a zeal and unanimity which it is neither juſt nor ſafe to diſregard. The rage of the people roſe to ſuch a height, that the Engliſh ambaſſador could hardly be protected from their inſults. The clergy contributed a great ſum towards preſerving the church from the dominion of a prince, whoſe ſyſtem of reformation was ſo fatal to their power. The nobles, after having mortified the cardinal ſo lately, in ſuch a cruel manner, were now ready to applaud and to ſecond him, as the defender of the honour and liberty of his country.

Argyle, Huntly, Bothwell, and other powerful barons, openly declared againſt the alliance with England. By their aſſiſtance, the cardinal ſeized on the perſons of the young queen and her mother, and added to his party the ſplendour and authority of the royal name*. He received, at the ſame time, a more real acceſſion to

* Keith's Hiſt. of Scot. 30.

his ſtrength, by the arrival of Matthew Stewart, earl of Lennox, whoſe return from France he had earneſtly ſolicited. This young nobleman was the hereditary enemy to the houſe of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from ſucceeding to the crown, but to deprive him of the poſſeſſion of his private fortune. The cardinal flattered his vanity with the proſpect of marrying the queen dowager, and affected to treat him with ſo much ſtudied reſpect, that the regent became jealous of him as a rival in power.

This ſuſpicion was artfully heightened by the abbot of Paiſley, who returned into Scotland ſome time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partizan of France, and a zealous defender of the eſtabliſhed religion. He took hold of the regent by the proper handle, and endeavoured to bring about a change in his ſentiments by working upon his fears. The deſertion of the nobility, the diſaffection of the clergy, and the rage of the people, the reſentment of France, the power of the cardinal, and the pretenſions of Lennox, were all repreſented with aggravation, and with their moſt threatening aſpect.

Meanwhile, the day appointed for the ratification of the treaty with England, and the delivery of the hoſtages, approached, and the regent was ſtill undetermined in his own mind. He acted to the laſt with that irreſolution and inconſiſtence which is peculiar to weak men when they are ſo unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of Auguſt he ratified the treaty with Henry†, and proclaimed the cardinal, who ſtill continued to oppoſe it, an enemy to his country. On the 3d of September, he ſecretly withdrew from Edinburgh, met with the cardinal at Callendar, renounced the friendſhip of England, and declared for the intereſts of France*.

† Rymer, Fœd. xv. p. 4. * Sadler. 339, 356.

Henry, in order to gain the regent, had not ſpared the moſt magnificent promiſes. He had offered to give the princeſs Elizabeth in marriage to his eldeſt ſon, and to conſtitute him king of that part of Scotland, which lies beyond the river Forth. But upon finding his intereſt in the kingdom to be leſs conſiderable than he had imagined, the Engliſh monarch began to treat him with little reſpect. The young queen was now in the cuſtody of his enemies, who grew every day more numerous and more popular. They formed a ſeparate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the Engliſh, would have united in their defence. In this ſituation, the regent could not retain his authority, without a ſudden change of his meaſures; and though he endeavoured, by ratifying the treaty, to preſerve the appearances of good faith with England, he was obliged to throw himſelf into the arms of the party, which adhered to France.

Soon after this ſurpriſing revolution in his political principles, the regent changed his ſentiments concerning religion. The ſpirit of controverſy was then new and warm; books of that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to expreſs great eſteem for the writings of the reformers; and having been powerfully ſupported by thoſe who had embraced their opinions, he, in order to gratify them, entertained in his own family, two of the moſt noted preachers of the proteſtant doctrine, and in his firſt parliament conſented to an act, by which the laity were permitted to read the ſcriptures in a language which they underſtood. Truth needed only a fair hearing to be an over-match for error. Abſurdities, which had long impoſed on the ignorance and credulity of mankind, were detected, and expoſed to public ridicule; and under the countenance of the regent, the Reformation made great advances. The cardinal obſerved its progreſs with concern, and was at the utmoſt pains to obſtruct it. He repreſented to the regent his great imprudence in giving en-

couragement to opinions ſo favourable to Lennox's pretenſions; that his own legitimacy depended upon the validity of a ſentence of divorce founded on the pope's authority; and that by ſuffering it to be called in queſtion, he weakened his own title to the ſucceſſion, and furniſhed his rival with the only argument, by which it could be rendered doubtful *. Theſe inſinuations made a deep impreſſion on the regent's timorous ſpirit, who, at the proſpect of ſuch imaginary dangers, was as much ſtartled as the cardinal could have wiſhed; and his zeal for the proteſtant religion was not long proof againſt his fear. He publicly abjured the doctrine of the reformers in the Franciſcan church at Stirling, and declared not only for the political, but the religious opinions of his new confidents.

The proteſtant doctrine did not ſuffer much by his apoſtacy. It had already taken ſo deep root in the kingdom that no diſcouragement or ſeverity could extirpate it. The regent indeed conſented to every thing, that the zeal of the cardinal thought neceſſary for the preſervation of the eſtabliſhed religion. The reformers were perſecuted with all the cruelty, which ſuperſtition inſpires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the puniſhment of its enemies; but they ſuffered with a ſpirit ſo nearly reſembling the patience and for-

* The pretenſions of the earl of Lennox to the ſucceſſion were thus founded. Mary the daughter of James II. was married to James lord Hamilton. Elizabeth a daughter of that marriage, was the wife of Matthew earl of Lennox, and the preſent earl was her grandſon. The regent was likewiſe the grandſon of the princeſs Mary. But his father, being divorced from his ſecond wife Elizabeth Home, married Janet Beatoun, the regent's mother. Lennox pretended that the ſentence of divorce was unjuſt, and that the regent being born while Elizabeth Home was ſtill alive, ought to be conſidered as illegitimate. Crawfurd's Peer. 192.

titude of the primitive martyrs, that more were converted, than terrified by these spectacles.

The cardinal, however, was now in possession of every thing his ambition could desire; and exercised all the authority of a regent without the envy of the name. He had nothing to fear from the earl of Arran, who having by his inconsistency forfeited the public esteem, was contemned by one half of the nation, and little trusted by the other. The pretensions of the earl of Lennox were the only thing which remained to embarrass him. He had made use of that nobleman very successfully to work upon the regent's jealousy and fear, but as he no longer stood in need of such an instrument, he was willing to be rid of him with decency. Lennox soon began to suspect his intention; promises, flattery, and respect were the only returns he had hitherto received for substantial services; but at last the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Resentment and disappointed ambition pushed him on to seek to be revenged on that cunning prelate, who, by sacrificing his interest, had so ungenerously purchased the earl of Arran's friendship. He withdrew, for that reason, from court, and declared for the party at enmity with the cardinal, which, with open arms, received a convert, who added so much lustre to their cause.

The two factions which divided the kingdom were still the same, without any alteration in their views or principles; but, by one of those strange revolutions, which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partizans of France and the defenders of popery, and Lennox in the same station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the same hand, that had hitherto endeavoured to destroy it.

Lennox's impatience for revenge got the start of the

cardinal's activity. He ſurpriſed both him and the regent by a ſudden march to Edinburgh with a numerous army; and might eaſily have cruſhed them before they could prepare for their defence. But he was weak enough to liſten to propoſals for an accommodation; and the cardinal amuſed him ſo artfully, and ſpun out the treaty to ſuch a length, that the greater part of the earl's troops, who ſerved, as is uſual wherever the feudal inſtitutions prevail, at their own expence, deſerted him; and in concluding a peace, inſtead of giving the law, he was obliged to receive it. A ſecond attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut in pieces, and the reſt diſperſed; and with the poor remains of a ruined party, he muſt either have ſubmitted to the conqueror, or have fled out of the kingdom, if the approach of an Engliſh army had not brought him a ſhort relief.

Henry was not of a temper to bear tamely the indignity with which he had been treated, both by the regent and parliament of Scotland, who at the time when they renounced their alliance with him, had entered into a new and ſtricter confederacy with France. The rigour of the ſeaſon retarded for ſome time the execution of his vengeance. But in the ſpring a conſiderable body of infantry which was deſtined for France, received orders to ſail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected ſuch a viſit. They had truſted that the French war would find employment for all Henry's forces; and from an unaccountable ſecurity were wholly unprovided for the defence of the kingdom. The earl of Hartford, a name fatal to the Scots in that age, commanded this army, and landed it, without oppoſition, a few miles above Leith. He was quickly maſter of that place; and marching directly to Edinburgh, entered it with the ſame eaſe. After plundering the adjacent country, the richeſt and moſt open in Scotland, he ſet on fire both theſe towns; and upon the approach of ſome troops gathered together by the regent, put his booty on board the fleet, and with his land for-

ces retired ſafely to the Engliſh borders, delivering the kingdom, in a few days, from the terror of an invaſion, concerted with little policy, carried on at great expence, and attended with no advantage. If Henry aimed at the conqueſt of Scotland, he gained nothing by this expedition; if the marriage he had propoſed, was ſtill in his view, he loſt a great deal. Such a rough courtſhip, as the earl of Huntly humorouſly called it, diſguſted the whole nation; their averſion for the match grew into abhorrence; and exaſperated by ſo many indignities, the Scots were never, at any period, more attached to France, or more alienated from England.

The earl of Lennox alone, in ſpite to the regent and French king continued a correſpondence with England, which ruined his own intereſt without promoting Henry's. Many of his own vaſſals preferring their duty to their country before their affection to him, refuſed to concur in any deſign to favour the public enemy. And after a few feeble and unſucceſsful attempts to diſturb the regent's adminiſtration, he was obliged to fly for ſafety to the court of England, where Henry rewarded ſervices which he had the inclination, but not the power to perform, by giving him in marriage his niece the lady Margaret Douglas. This unhappy exile, however was deſtined to be the father of a race of kings. He ſaw his ſon lord Darnly mount the throne of Scotland, to the perpetual excluſion of that rival who now triumphed in his ruin. And from that time, his poſterity have held the ſceptre in two kingdoms, by one of which he was caſt out as a criminal, and by the other received as a fugitive.

Meanwhile hoſtilities were continued by both nations, but with little vigour on either ſide. The hiſtorians of that age relate minutely the circumſtances of ſeveral ſkirmiſhes and inroads, but they were without any conſiderable effect, and at this diſtance of time deſerve no remembrance *. At laſt an end was put to this lan-

* Though this war was diſtinguiſhed by no important or deciſive action, it was, however, extremely ruin-

guiſhing and inactive war, by a peace, in which England, France, and Scotland were comprehended. Henry laboured to exclude the Scots from the benefit of this treaty, and to reſerve them for that vengeance which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the laſt conſequence to Francis I. whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies, who had ſerved him with fidelity, and choſe rather to purchaſe Henry's friendſhip with diſadvantage to himſelf, than to leave them expoſed to danger. By yielding ſome things to the intereſt, and more to the vanity of that haughty prince; by ſubmiſſion, flattery, and addreſs, he in the end, prevailed to have the Scots included in the peace agreed upon.

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ous to individuals. There ſtill remain two original papers, which give us ſome idea of the miſeries, to which the moſt fertile counties in the kingdom were expoſed, by the ſudden and deſtructive incurſions of the borderers. The firſt ſeems to be the report made to Henry by the Engliſh wardens of the marches, for the year 1544, and contains their exploits from the 2d of July, to the 17th of November. The account it gives of the different inroads or *forrays*, as they are called, is very minute; and in concluſion, the ſum total of miſchief they did is this computed:

Towns, towers, ſtedes, barnekyns, paryſhe-churches, baſtel houſes caſt down, or burnt,	192
Scots ſlain,	403
Priſoners taken,	816
Nolt, i. e. black cattle, taken,	10,386
Sheep,	12,492
Nags and geldings,	1,296
Goats,	200
Bolls of corn,	850

Inſight-gear, i. e. houſhold furniture, not reckoned.

Hayne's State Papers, 43.

The other contains an account of an inroad by the

The conſternation occaſioned by an event, which happened a ſhort time before the concluſion of this peace, rendered it more acceptable to the whole nation. Cardinal Beatoun had not uſed his power with moderation, equal to the prudence by which he attained it. Notwithſtanding his great abilities, he had too many of the paſſions and prejudices of an angry leader of a faction, to govern a divided people with temper. His reſentment againſt one party of the nobility, his inſolence towards the reſt, his ſeverity to the reformers, and, above all, the barbarous and illegal execution of the famous George Wiſhart, a man of honourable birth, and of primitive ſanctity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wiſh by his deſtruction. Private revenge, inflamed and ſanctified by a falſe zeal for religion, quickly ſupplied this want. Norman Leſly, the eldeſt ſon of the earl of Rothes, had been treated by the cardinal with injuſtice and contempt. It was not the temper of the man, or the ſpirit of the times, quietly to digeſt an affront. And as the profeſſion of his adverſary ſcreened him from the effects of what is called an honourable reſentment, he reſolved to take that ſatisfaction, which he could not demand. This reſolution deſerves as much

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earl of Hartford, between the 8th and 23d of September, 1545; the narrative is more general, but it appears that he had burnt, razed, and deſtroyed in the counties of Berwick and Roxburgh only,

Monaſteries and friar-houſes,	7
Caſtles, towers, and piles,	16
Market towns,	5
Villages,	243
Milns,	13
Hoſpitals,	3

All theſe were caſt down or burnt. *Haynes*, 52. As the Scots were no leſs ſkilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconſiderable; and that their *raids* were no leſs waſteful than the *forrays* of the Engliſh.

cenſure, as the ſingular courage and conduct with which he put it in execution excite wonder. The cardinal, at that time, reſided in the caſtle of St. Andrews, which he had fortified at great expence, and in the opinion of the age had rendered impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependents. In this ſituation, ſixteen perſons undertook to ſurpriſe his caſtle, and to aſſaſſinate himſelf; and their ſucceſs was equal to the boldneſs of the attempt. Early in the morning they ſeized on the gate of the caſtle, which was ſet open to the workmen who were employed in finiſhing the fortifications; and having placed ſentries at the door of the cardinal's apartment, they awakened his numerous domeſtics one by one, and turning them out of the caſtle, they without noiſe, or tumult, or violence to any other perſon, delivered their country, though by a moſt unjuſtifiable action, from an ambitious man, whoſe pride was inſupportable to the nobles, as his cruelty and cunning were the great checks to the Reformation.

His death was fatal to the catholic religion, and to the French intereſt in Scotland. The ſame zeal for both continued among a great party in the nation, but when deprived of the genius and authority of ſo ſkilful a leader, was of ſmall conſequence. Nothing can equal the conſternation which a blow ſo unexpected occaſioned among his adherents; while the regent ſecretly enjoyed an event, which rid him of a rival, who had not only eclipſed his greatneſs, but almoſt extinguiſhed his power. Decency, however, the honour of the church, the importunity of the queen dowager, and her faction, his engagements with France, and above all theſe, the deſire of recovering his eldeſt ſon, whom the cardinal had detained for ſome time at St. Andrews in pledge of his fidelity, and who, together with the caſtle, had fallen into the hands of the conſpirators, induced him to take arms in order to revenge the death of a man he hated.

He threatened vengeance, but was unable to execute it. One part of military ſcience, the art of attacking

fortified places, was then unknown in Scotland. The weapons, the diſcipline, and impetuoſity of the Scots, rendered their armies as unfit for ſieges, as they were active in the field. An hundred and fifty men, which was the greateſt number the conſpirators ever aſſembled, reſiſted all the efforts of the regent for five months*, in a place, which a ſingle battalion, with a few battering cannon, would now reduce in as many days. This tedious ſiege was concluded by a truce. The regent undertook to procure for the conſpirators an abſolution from the pope, and a pardon in parliament; and upon obtaining theſe, they engaged to ſurrender the caſtle, and to ſet his ſon at liberty.

It is probable, that neither of them were ſincere in this treaty. On both ſides they ſought only to amuſe, and to gain time. The regent had applied to France for aſſiſtance, and expected ſoon to have the conſpirators at mercy. On the other hand, if Leſly and his aſſociates were not at firſt incited to murder the cardinal by Henry, they were, in the ſequel, powerfully ſupported by him. Notwithſtanding the ſilence of cotemporary hiſtorians, there are ſtrong preſumptions of the former; of the latter there is undoubted certainty†. During the ſiege, the conſpirators had received from England ſupplies both of money and proviſions; and as Henry was preparing to renew his propoſitions concerning the marriage and the union he had projected, and to ſecond his negociations with a numerous army, they hoped, by concurring with him to be in a ſituation, in which they would no longer need a pardon, but might claim a reward.

The death of Henry blaſted all theſe hopes. It happened in the beginning of next year, after a reign of greater ſplendour than true glory; buſtling though not active; oppreſſive in domeſtic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind than the virtues of others. His rapaciouſneſs, his profuſion, and even

* Epiſt. Reg. Scot. 2. 379. † Keith, 60.

his tyranny, by depreſſing the ancient nobility, and by adding new property and power to the commons, laid the foundations of Britiſh liberty. His other paſſions contributed no leſs towards the downfal of popery, and the eſtabliſhment of religious freedom in the nation. His reſentment led him to aboliſh the power, and his covetouſneſs to ſeize the wealth of the church; and by withdrawing theſe ſupports, made it eaſy, in the following reign, to overturn the whole fabric of ſuperſtition.

Francis I. did not long ſurvive a prince, who had been alternately his rival and his friend; but his ſucceſſor Henry II. was not neglectful of the French intereſt in Scotland. He ſent a conſiderable body of men, under the command of Leon Strozzi, to the regent's aſſiſtance. By their long experience in the Italian and German wars, the French had become as dexterous in the conduct of ſieges, as the Scots were ignorant; and as the boldneſs and deſpair of the conſpirators could not defend them againſt their ſuperior art, they ſurrendered to Strozzi, after a ſhort reſiſtance, who engaged, in the name of the king his maſter, for the ſecurity of their lives; and as his priſoners, tranſported them into France. The caſtle itſelf, the monument of Beatoun's power and vanity, was demoliſhed, in obedience to the canon law, which, with admirable policy, denounces its anathemas even againſt the houſes in which the ſacred blood of a cardinal happens to be ſhed, and ordains them to be laid in ruins†.

The archbiſhopric of St. Andrews was beſtowed by the regent upon his natural brother, John Hamilton abbot of Paiſley.

The delay of a few weeks would have ſaved the conſpirators. Thoſe miniſters of Henry VIII. who had the chief direction of affairs during the minority of his ſon Edward VI. conducted themſelves with regard to Scotland, by the maxims of their late maſter, and reſolved to frighten the Scots into a treaty, which they had not abilities or addreſs to bring about by any other method.

† Burn. Hiſt. Ref. 1. 338.

But before we proceed to relate the events which their invaſion of Scotland occaſioned, we ſhall ſtop to take notice of a circumſtance unobſerved by cotemporary hiſtorians, but extremely remarkable for the diſcovery it makes of the ſentiments and ſpirit, which then prevailed among the Scots. The conſpirators againſt cardinal Beatoun found the regent's eldeſt ſon in the caſtle of St. Andrews; and as they needed the protection of the Engliſh, it was to be feared that they might endeavour to purchaſe it, by delivering to them this important prize. The preſumptive heir to the crown, in the hands of the avowed enemies of the kingdom, was a dreadful proſpect. And, in order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpoſe, they excluded "the regent's "eldeſt ſon from all right of ſucceſſion, public or pri-"vate, ſo long as he ſhould be detained priſoner, and "ſubſtituted in his place, his other brothers, according "to their ſeniority, and in failure of them, thoſe who "were next heirs to the regent†." Succeſſion by hereditary right is an idea ſo obvious and ſo popular, that a nation ſeldom ventures to make a breach in it, but in caſes of extreme neceſſity. Such a neceſſity did the parliament diſcover in the preſent ſituation. Hatred to England, founded on the memory of paſt hoſtilities, and heightened by the ſmart of recent injuries, was the national paſſion. This dictated that uncommon ſtatute, by which the order of lineal ſucceſſion was ſo remarkably broken. The modern theories, which repreſent this right as divine and unalienable, and that ought not to be violated upon any conſideration whatſoever, ſeem to have been then altogether unknown.

In the beginning of September, the earl of Hartford, now duke of Somerſet, and protector of England, entered Scotland at the head of eighteen thouſand men; and, at the ſame time, a fleet of ſixty ſhips appeared on the coaſt, to ſecond his forces by land. The Scots had for ſome time obſerved this ſtorm gathering, and were

† Epiſt. Reg. Scot. 2. 359.

prepared for it. Their army was almoſt double to that of the enemy, and poſted to the greateſt advantage on a riſing ground, above Muſſelburgh, not far from the river Eſke. Both theſe circumſtances alarmed the duke of Somerſet, who ſaw his danger, and would willingly have extricated himſelf out of it, by a new overture of peace, on conditions extremely reaſonable. But this moderation was imputed to fear, and his propoſals rejected with that ſcorn, which the confidence of ſucceſs inſpires. And had the conduct of the regent, who commanded the Scots army, been in any degree equal to his confidence, the deſtruction of the Engliſh muſt have been inevitable. They were in a ſituation preciſely ſimilar to that of their countrymen under Oliver Cromwell, in the following century. The Scots had choſen their ground ſo well, that it was impoſſible to force them to give battle; a few days had exhauſted the forage and proviſion of a narrow country; the fleet could only furniſh a ſcanty and precarious ſubſiſtence; a retreat therefore was neceſſary; but diſgrace, and perhaps ruin, were the conſequences of retreating.

On both theſe occaſions, the national heat and impetuoſity of the Scots ſaved the Engliſh, and precipitated their country into the utmoſt danger. The undiſciplined courage of the private men became impatient at the ſight of an enemy. The general was afraid of nothing, but the Engliſh would eſcape from him by flight; and leaving his advantageous ſituation, he attacked the duke of Somerſet near Pinkey, with no better ſucceſs than his raſhneſs deſerved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his ſide. The Scottiſh army conſiſted almoſt entirely of infantry, whoſe chief weapon was a long ſpear, and for that reaſon their files were very deep, and their ranks cloſe. They advanced towards the enemy in three great bodies, and as they paſſed the river, were conſiderably expoſed to the fire of the Engliſh fleet, which lay in the bay of Muſſelburgh, and had drawn near the ſhore. The Engliſh cavalry, flushed with an advantage which they had gained in a

ſkirmiſh ſome days before, began the attack with more impetuoſity than good conduct. A body ſo firm and compact as the Scots, eaſily reſiſted the impreſſion of cavalry, broke them, and drove them off the field. The Engliſh infantry, however, advanced, and the Scots were at once expoſed to a flight of arrows, to a fire in flank from four hundred foreign fuſileers who ſerved the enemy, and to their cannon which were planted behind the infantry, on the higheſt part of the eminence. The depth and cloſeneſs of their order made it impoſſible for the Scots to ſtand long in this ſituation. The earl of Angus, who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends unhappily miſtook this motion for a flight, and fell into confuſion. At that very inſtant, the broken cavalry having rallied, returned to the charge; the foot purſued the advantage they had gained; the proſpect of victory redoubled the ardour of both; and in a moment, the rout of the Scottiſh army became univerſal, and irretrievable. The encounter in the field was not long or bloody; but, in the purſuit, the Engliſh diſcovered all the rage and fierceneſs, which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inſpire. The purſuit was continued for five hours, and to a great diſtance. All the three roads, by which the Scots fled, were ſtrewed with ſpears and ſwords, and targets, and covered with the bodies of the ſlain. Above ten thouſand men fell on this day, one of the moſt fatal Scotland had ever ſeen. A few were taken priſoners, and among theſe ſome perſons of diſtinction. And the protector had it now in his power to become maſter of a kingdom, out of which, not many hours before, he was almoſt obliged to retire with infamy*.

* The following paſſage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commiſſion with Cecil, as judge marſhal of the army, and printed in 1548, deſerves our notice: as it gives a juſt idea of the military

But this victory, however great, was of no real utility, for want of ſkill or of leiſure to improve it. Eve-

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diſcipline of the Scots at that time. "But what after I learned, ſpecially touching their order, their armour, and their manner as well of going to offend, as of ſtanding to defend, I have thought neceſſary here to utter. Hackbutters have they few or none, and appoint their fight moſt commonly always a foot. They come to the field well furniſhed all with jack and ſkull, dagger and buckler, and ſwords all broad and thin, of exceeding good temper, and univerſally ſo made to ſlice, that as I never ſaw none ſo good, ſo I think it hard to deviſe the better. Here to every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thruſt ſo near in the fore rank, ſhoulder and ſhoulder together with their pikes in both their hands ſtraight afore them, and their followers in that order ſo hard at their backs, laying their pikes over their foregoers ſhoulders, that, if they do aſſail undiſcovered, no force can well withſtand them. Standing at defence they thruſt ſhoulders likewiſe ſo nigh together, the fore ranks well nigh to kneeling, ſtoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of the pike againſt their right foot, and the other againſt the enemy breaſt-high; their followers croſſing their pike points with them forward; and thus each with other ſo nigh as ſpace and place will ſuffer, through the whole ward, ſo thick, that as eaſily ſhall a bare finger pierce through the ſkin of an angry hedge-hog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition.

Life of Edward VI. 279, &c.

The length of the Scots pike or ſpear was appointed by Act 44, P. 1471, to be ſix ells; i. e. eighteen feet ſix inches.

ry new injury rendered the Scots more averſe from an union with England; and the protector neglected the only meaſure, which would have made it neceſſary for them to have given their conſent to it. He amuſed himſelf in waſting the open country, and in taking or building petty caſtles; whereas, by fortifying a few places which were acceſſible by ſea, he would have laid the kingdom open to the Engliſh, and, in a ſhort time, the Scots muſt either have accepted of his terms, or have ſubmitted to his power. By ſuch an improvement of it, his victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkey had no other effect but to precipitate the Scots into new engagements with France. The ſituation of the Engliſh court may, indeed, be pleaded in excuſe for the duke of Somerſet's conduct. That cabal of his enemies, which occaſioned his tragical end, was already formed; and while he triumphed in Scotland, they ſecretly undermined his power and credit at home. Self-preſervation, therefore, obliged him to prefer his ſafety before his fame, and to return without reaping the fruits of his victory. At this time, however, the cloud blew over; the conſpiracy by which he fell was not yet ripe for execution, and his preſence ſuſpended for ſome time its effect. The ſupreme power ſtill remained in his hands, and he employed it to recover the opportunity which he had loſt. A body of troops, by his command, ſeized and fortified Haddington, a place which, on account of its diſtance from the ſea, and from any Engliſh garriſon, could not be defended without great expence and danger.

Meanwhile, the French gained more by the defeat of their allies, than the Engliſh did by their victory. After the death of cardinal Beatoun, Mary of Guiſe, the queen dowager, took a conſiderable ſhare in the direction of affairs. She was warmly attached by blood and by inclination to the French intereſt; and, in order to promote it, improved with great dexterity every event which occurred. The ſpirit and ſtrength of the Scots were broken at Pinkey; and, in an aſſembly of

nobles, which met at Stirling to conſult upon the ſituation of the kingdom, all eyes were turned towards France, and no proſpect of ſafety appeared but in aſſiſtance from thence. But Henry II. being then at peace with England, the queen repreſented that they could not expect him to take part in their quarrel, but upon views of perſonal advantage; and that without extraordinary conceſſions in his favour, no aſſiſtance in proportion to their preſent exigencies could be obtained. The prejudices of the nation powerfully ſeconded theſe repreſentations of the queen. What often happens to individuals took place among the nobles in this convention, they were ſwayed entirely by their paſſions, and, in order to gratify them, they deſerted their former principles, and diſregarded their true intereſt. In the violence of reſentment they forgot that zeal for the independency of Scotland, which had prompted them to reject the propoſitions of Henry VIII. and by offering voluntarily their young queen in marriage to the dauphin, eldeſt ſon of Henry II. and, which was ſtill more, by propoſing to ſend her immediately into France, to be educated at his court, they granted, out of a thirſt of vengeance, what formerly they would not yield upon any conſideration of their own ſafety. To gain at once ſuch a kingdom as Scotland, was a matter of no ſmall conſequence to France. Henry, without heſitation, accepted the offers of the Scottiſh ambaſſadors, and prepared for the vigorous defence of his new acquiſition. Six thouſand veteran ſoldiers, under the command of Monſieur Deſſe, aſſiſted by ſome of the beſt officers who were formed in the long wars of Francis I. arrived at Leith. They ſerved two campaigns in Scotland, with a ſpirit equal to their former fame; but their exploits were not conſiderable. The Scots ſoon became jealous of their deſigns, and neglected to ſupport them with proper vigour; and the caution of the Engliſh, in acting wholly upon the defenſive, prevented them from attempting any enterpriſe of conſequence, and obliged them to exhauſt their ſtrength in tedious ſieges, undertaken under many diſadvan-

tages. Their efforts, however, were not without ſome benefit to the Scots, by compelling the Engliſh to evacuate Haddington, and to ſurrender ſeveral ſmall forts which they poſſeſſed in different parts of the kingdom.

But the conſequences of theſe operations of his troops were ſtill of greater importance to the French king. The diverſion which they occaſioned enabled him to wreſt Boulogne out of the hands of the Engliſh; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures made to him, by the aſſembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education at the court of France. In vain did a few patriots remonſtrate againſt ſuch extravagant conceſſions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raiſed to be maſter of the kingdom; by which, the friendſhip of France became more fatal than the enmity of England; and every thing was fondly given up to the one, that had been bravely defended againſt the other. A point of ſo much conſequence was haſtily decided in a parliament aſſembled in a camp before Haddington; the intrigues of the queen dowager, the zeal of the clergy, and reſentment againſt England, had prepared a great party in the nation for ſuch a ſtep; the French general and ambaſſador, by their liberality and promiſes, gained over many more. The regent himſelf was weak enough to ſtoop to the offer of a penſion from France, together with the title of duke of Chatelherault in that kingdom. A conſiderable majority declared for the treaty, and the intereſt of a faction was preferred before the honour of the nation.

Having hurried the Scots into this raſh and fatal reſolution, the ſource of many calamities to themſelves, and to their ſovereign, the French allowed them no time for reflection or repentance. The fleet, which had brought over their forces, was ſtill in Scotland, and, without delay, convoyed the queen into France. Mary was then ſix years old, and, by her education in that

court, the politeſt, but moſt corrupted in Europe, ſhe acquired every accompliſhment that could add to her charms as a woman, and contracted many of thoſe prejudices, which occaſioned her misfortunes as a queen.

From the time that Mary was put into their hands, it was the intereſt of the French to ſuffer the war in Scotland to languiſh. The recovering of the Boulonnois was the object Henry had moſt at heart; and a ſlight diverſion in Britain was ſufficient to divide the attention and ſtrength of the Engliſh, whoſe domeſtic factions deprived both their arms and councils of their accuſtomed vigour. The government of England had undergone a great revolution. The duke of Somerſet's power was acquired with too much violence, and exerciſed with too little moderation, to be of long continuance. Many good qualities, added to the great love of his country, could not atone for his ambition in uſurping the whole direction of affairs. Almoſt the whole nobles combined againſt him; and the earl of Warwick, no leſs ambitious, but more artful, conducted his meaſures with ſo much dexterity, as to raiſe himſelf upon the ruins of his rival. Without the invidious name of protector, he ſucceeded to all the power and influence of which Somerſet was deprived, and he quickly found peace to be neceſſary for the eſtabliſhment of his new authority, and the execution of the vaſt deſigns he had conceived.

Henry was no ſtranger to Warwick's ſituation, and improved his knowledge of it, to good purpoſe, in conducting the negociations for a general peace. He preſcribed what terms he pleaſed to the Engliſh miniſter, who ſcrupled at nothing, however advantageous to that monarch and his allies. England conſented to reſtore Boulogne and its dependencies to France, and gave up all pretenſions to a treaty of marriage with the queen of Scots, or to the conqueſt of her country. A few ſmall forts, of which the Engliſh troops had hitherto kept poſſeſſion, were razed; and peace between the two kingdoms was eſtabliſhed on its ancient foundation.

Both the Britiſh nations loſt power, as well as reputa-

tion, by this unhappy quarrel. It was on both ſides a war of emulation and reſentment, rather than of intereſt; and was carried on, under the influence of national animoſities, which were blind to all advantages. The French, who entered into it with greater coolneſs, conducted it with more ſkill; and by dexterouſly availing themſelves of every circumſtance which occurred, recovered poſſeſſion of an important territory which they had loſt, and added to their monarchy a new kingdom. The ambition of the Engliſh miniſter betrayed to them the former; the inconſiderate rage of the Scots againſt their ancient enemies beſtowed on them the latter; their own addreſs and good policy merited both.

Immediately after the concluſion of the peace, the French forces left Scotland, as much to their own ſatisfaction, as to that of the nation. The Scots ſoon found, that the calling to their aſſiſtance a people more powerful than themſelves was a dangerous expedient. They beheld, with the utmoſt impatience, thoſe who had come over to protect the kingdom, taking upon them to command in it; and on many occaſions they repented the raſh invitation they had given. The peculiar genius of the French nation heightened this diſguſt, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are in the preſent, one of the moſt poliſhed nations in Europe. But it is to be obſerved, in all their expeditions into foreign countries, whether towards the ſouth or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own cuſtoms, becauſe they want knowledge and taſte to diſcover the reaſonableneſs and propriety of cuſtoms which differ from them. Nations, which hold the firſt rank in politeneſs, are frequently no leſs tenacious out of pride. The Greeks were ſo in the ancient world; and the French are the ſame in the modern. Full of themſelves, and accuſtomed, by the imitation of their neighbours, to conſider their own modes as the ſtandards of elegance, they ſcorn to diſguiſe, or to lay aſide the di-

ſtinguiſhing manners of their own nation, or to make any allowance for what may differ from them among others. For this reaſon, the behaviour of their armies has, on every occaſion, been inſupportable to ſtrangers, and has always expoſed them to hatred, and often to deſtruction. In that age, they over-ran Italy four ſeveral times, by their valour, and loſt it, as often, by their inſolence. The Scots, naturally an iraſcible and high-ſpirited people, and who, of all nations, can leaſt bear the moſt diſtant inſinuation of contempt, were not of a temper to admit all the pretenſions of ſuch amuſing gueſts. The ſymptoms of alienation were ſoon viſible; they ſeconded the French in their military operations with the utmoſt coldneſs, and this ſecret diſguſt grew inſenſibly to a degree of indignation that could hardly be reſtrained; and on occaſion of a very ſlight accident, broke out with fatal violence. A private French ſoldier had an idle quarrel with a citizen of Edinburgh: both nations took arms, and with equal rage, in defence of their countrymen. The provoſt of Edinburgh, his ſon, and ſeveral citizens of diſtinction were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithſtanding the ancient alliance of France and Scotland, and the long intercourſe of good offices between the two nations, an averſion to the French took its riſe, at this time, among the Scots; the effects whereof were deeply felt, and operated powerfully through the ſubſequent period.

From the death of cardinal Beatoun, nothing has been ſaid of the ſtate of religion. While the war with England continued, the clergy had no leiſure to moleſt the proteſtants; and they were not yet conſiderable enough to expect any thing more than connivance and impunity. The new doctrines were ſtill in their infancy; but during this ſhort interval of tranquillity, they acquired ſtrength, and advanced, by large and firm ſteps, towards a full eſtabliſhment in the kingdom. The firſt preachers againſt popery in Scotland, of whom ſeveral had appeared during the reign of James V. were more

eminent for zeal and piety, than for learning. Their acquaintance with the principles of the Reformation was partial, and at ſecond hand; ſome of them had been educated in England; all of them had borrowed their notions from the books publiſhed there; and, in the firſt dawn of the new light, they did not venture many ſteps before their leaders. But in a ſhort time, the doctrines and writings of the foreign reformers became generally known; the inquiſitive genius of the age preſſed forward in queſt of truth; the diſcovery of one error opened the way to others; the downfal of one impoſtor drew many after it; the whole fabric, which ignorance and ſuperſtition had erected in times of darkneſs, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extenſive views than any of his predeceſſors in Scotland, poſſeſſed a natural intrepidity of mind, which ſet him above fear. He began his public miniſtry at St. Andrews in the year 1547, with that ſucceſs, which always accompanies a bold and popular eloquence. Inſtead of amuſing himſelf with lopping the branches, he ſtruck directly at the root of popery, and attacked both the doctrine and diſcipline of the eſtabliſhed church, with a vehemence peculiar to himſelf, but admirably ſuited to the temper and wiſhes of the age.

An adverſary ſo formidable as Knox, would not have eaſily eſcaped the rage of the clergy, who obſerved the tendency and progreſs of his opinions, with the utmoſt concern. But, at firſt, he retired for ſafety into the caſtle of St. Andrews, and while the conſpirators kept poſſeſſion of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry VIII. contributed no leſs than the zeal of Knox, towards demoliſhing the popiſh church in Scotland. Henry had looſened the chains, and lightened the yoke of popery. The miniſters of his ſon Edward VI. caſt them off altogether, and eſtabliſhed the proteſtant religion upon almoſt the ſame footing,

whereon it now ſtands in that kingdom. The influence of this example reached Scotland, and the happy effects of eccleſiaſtical liberty, in the one nation, inſpired the other with an equal deſire of recovering it. The reformers had, hitherto, been obliged to conduct themſelves with the utmoſt caution, and ſeldom ventured to preach, but in private houſes, and at a diſtance from court; they gained credit, as happens on the firſt publication of every new religion, chiefly among perſons in the lower and middle rank of life. But ſeveral noblemen of the greateſt diſtinction, having, about this time, openly eſpouſed their principles, they were no longer under the neceſſity of acting with the ſame reſerve; and with more ſecurity and encouragement, they had likewiſe greater ſucceſs. The means of acquiring and ſpreading knowledge became more common, and the ſpirit of innovation, peculiar to that period, grew every day bolder and more univerſal.

Happily for the Reformation, this ſpirit was ſtill under ſome reſtraint. It had not yet attained firmneſs and vigour, ſufficient to overturn a ſyſtem, founded on the deepeſt policy, and ſupported by the moſt formidable power. Under the preſent circumſtances, any attempt towards action muſt have been fatal to the proteſtant doctrines; and it is no ſmall proof of the authority, as well as penetration of the heads of the party, that they were able to reſtrain the zeal of a fiery and impetuous people, till that critical and mature juncture, when every ſtep they took was deciſive and ſucceſsful.

Meanwhile, their cauſe received reinforcement from two different quarters, whence they never could have expected it. The ambition of the houſe of Guiſe, and the bigotry of Mary of England haſtened the ſubverſion of the papal throne in Scotland; and by a ſingular diſpoſition of providence, the perſons who oppoſed the Reformation in every other part of Europe with the fierceſt zeal, were made inſtruments for advancing it in that kingdom.

Mary of Guiſe poſſeſſed the ſame bold and aſpiring

ſpirit, which diſtinguiſhed her family. But in her, it was ſoftened by the female character, and accompanied with great temper and addreſs. Her brothers, in order to attain the high objects at which they aimed, ventured upon ſuch daring meaſures, as ſuited their great courage. Her deſigns upon the ſupreme power were concealed with the utmoſt care, and advanced by addreſs and refinements more natural to her ſex. By a dexterous application of thoſe talents, ſhe had acquired a conſiderable influence on the councils of a nation, hitherto unacquainted with the government of women; and without the ſmalleſt right to any ſhare in the adminiſtration of affairs, had engroſſed the chief direction of them into her own hands. But ſhe did not long reſt ſatisfied with the enjoyment of this precarious power, which the ſickleneſs of the regent, or the ambition of thoſe who governed him, might ſo eaſily diſturb; and began to ſet on foot new intrigues, with a deſign of undermining him, and of opening to herſelf a way to ſucceed him in that high dignity. Her brothers entered warmly into this ſcheme, and ſupported it with all their credit at the court of France. The French king willingly concurred in a meaſure, by which he hoped to bring Scotland entirely under management, and, in any future broil with England, to turn its whole force upon that kingdom.

In order to arrive at the deſired elevation, the queen dowager had only one of two ways to chooſe, either violently to wreſt the power out of the hands of the regent, or to obtain it by his conſent. Under a minority, and among a warlike and factious people, the former was an uncertain and dangerous experiment. The latter appeared to be no leſs impracticable. To perſuade a man voluntarily to abdicate the ſupreme power; to deſcend to a level with thoſe above whom he was raiſed; and to be content with the ſecond place where he had held the firſt, may well paſs for a wild and chimerical project. This, however, the queen attempted; and the prudence of the attempt was ſufficiently juſtified by its ſucceſs.

The regent's inconſtancy and irreſolution together, with the calamities which had befallen the kingdom under his adminiſtration, raiſed the prejudices both of the nobles and of the people againſt him to a great height; and the queen ſecretly fomented theſe with much induſtry. All who wiſhed for a change met with a gracious reception in her court; and their ſpirit of diſaffection was nouriſhed by ſuch hopes and promiſes as in every age impoſe on the credulity of the factious. The favourers of the Reformation being the moſt numerous and ſpreading body of the regent's enemies, ſhe applied to them with a particular attention; and the gentleneſs of her diſpoſition, and ſeeming indifference to the religious points in diſpute, made all her promiſes of protection and indulgence paſs upon them for ſincere. Finding ſo great a part of the nation willing to fall in with her meaſures, the queen ſet out for France, under pretence of viſiting her daughter, and took along with her thoſe noblemen who poſſeſſed the greateſt power and credit among their countrymen. Softened by the pleaſures of an elegant court, flattered by the civilities of the French king, and the careſſes of the houſe of Guiſe, and influenced by the ſeaſonable diſtribution of a few favours, and the liberal promiſe of many more, they were brought to approve of all the queen's pretenſions.

While ſhe advanced by theſe ſlow but ſure ſteps, the regent either did not foreſee the danger which threatened him, or neglected to provide againſt it. The firſt diſcovery of the train which was laid, came from two of his own confidents, Panter, biſhop of Roſs, and Carnegie, of Kinnaird, whom the queen had gained over to her intereſt, and then employed as the moſt proper inſtruments for obtaining his conſent. The overture was made to him in the name of the French king, enforced by proper threatenings, in order to work upon his natural timidity, and ſweetened by every promiſe that could reconcile him to a propoſal ſo diſagreeable. On the one hand, the confirmation of his French title, together with a conſiderable penſion, the parliamentary acknowledgment of his right of ſucceſ-

ſion to the crown, and a public ratification of his conduct during his regency, were offered him. On the other hand, the diſpleaſure of the French king, the power and popularity of the queen dowager, the diſaffection of the nobles, with the danger of an after-reckoning, were repreſented in the ſtrongeſt colours.

It was not poſſible to agree to a propoſal ſo extraordinary and unexpected, without ſome previous ſtruggle; and had the archbiſhop of St. Andrews been preſent to fortify the irreſolute and paſſive ſpirit of the regent, he, in all probability, would have rejected it with diſdain. Happily for the queen, the ſagacity and ambition of that prelate could, at this time, be no obſtruction to her views. He was lying at the point of death, and in his abſence, the influence of the queen's agents on a flexible temper counterbalanced ſeveral of the ſtrongeſt paſſions in the human mind, and obtained his conſent to a voluntary ſurrender of the ſupreme power.

After gaining a point of ſuch difficulty, with ſo much eaſe, the queen returned into Scotland, in full expectation of taking immediate poſſeſſion of her new dignity. But by this time the archbiſhop of St. Andrews had recovered of that diſtemper, which the ignorance of the Scottiſh phyſicians had pronounced to be incurable. This he owed to the aſſiſtance of the famous Cardan, one of thoſe irregular adventurers in philoſophy, of whom Italy produced ſo many about this period. A bold genius led him to ſome uſeful diſcoveries, which merit the eſteem of a more diſcerning age; a wild imagination engaged him in thoſe chimerical ſciences, which drew the admiration of his contemporaries. As a pretender to aſtrology and magic, he was revered and conſulted by all Europe; as a proficient in natural philoſophy, he was but little known. The archbiſhop, it is probable, conſidered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philoſopher which enabled him to cure his diſeaſe*.

* Cardan himſelf was more deſirous of being con-

Together with his health, the archbiſhop recovered the entire government of the regent, and quickly determined him to recal that diſhonourable promiſe, which he had been ſeduced by the artifices of the queen to grant. However great her ſurpriſe and indignation were, at this freſh inſtance of his inconſtancy, ſhe was obliged to diſſemble, that ſhe might have leiſure to renew her intrigues with all parties; with the proteſtants, whom ſhe favoured and courted more than ever; with the nobles, to whom ſhe rendered herſelf agreeable by various arts; and with the regent himſelf, in order to gain whom, ſhe employed every argument. But whatever impreſſions her emiſſaries might have made on the regent, it was no eaſy matter to overreach or to intimidate the archbiſhop. Under his management, the negotiations were ſpun out to a great length; and his brother maintained his ſtation with that addreſs and firmneſs which its importance ſo well merited. The univerſal defection of the nobles, the growing power of the proteſtants, who all adhered to the queen dowager, the reiterated ſolicitations of the French king, and, above all, the interpoſition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom ſhe pleaſed to be regent, obliged him at laſt to reſign that high office, which he had held many years. He obtained, however, the ſame advantageous terms for himſelf which had been formerly ſtipulated.

It was in the parliament which met on the 10th of April, 1554, that the earl of Arran executed this extraordinary reſignation; and at the ſame time, Mary of Guiſe was raiſed to that dignity, which had been ſo long the object of her wiſhes. Thus, with their own

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ſidered as an aſtrologer than a philoſopher; in his book *De Genituris*, we find a calculation of the archbiſhop's nativity, from which he pretends both to have predicted his diſeaſe, and to have effected his cure. He received from the archbiſhop a reward of 1800 crowns; a great ſum in that age. *De vita ſua*, p. 32.

approbation, a woman and a ſtranger was advanced to the ſupreme authority, over a fierce and turbulent people, who ſeldom ſubmitted, without reluctance, to the legal and ancient government of their native monarchs.

While the queen dowager of Scotland contributed ſo much towards the progreſs of the Reformation, by the protection which ſhe afforded it, from motives of ambition; the Engliſh queen, by her indiſcreet zeal, filled the kingdom with perſons active in promoting that cauſe. Mary aſcended the throne of England on the death of her brother Edward, and ſoon after married Philip II. of Spain. To the perſecuting ſpirit of the Romiſh ſuperſtition, and the fierceneſs of that age, ſhe added the private reſentment of her own and of her mother's ſufferings, with which ſhe loaded the reformed religion; and the peeviſhneſs and ſeverity of her natural temper carried the acrimony of all theſe paſſions to the utmoſt extreme. The cruelty of her perſecution equalled the deeds of thoſe tyrants who have been the greateſt reproach to human nature. The bigotry of her clergy could ſcarce keep pace with the impetuoſity of her zeal. Even the unrelenting Philip was obliged, on ſome occaſions, to mitigate the rigour of her proceedings. Many among the moſt eminent of the reformers ſuffered for the doctrines which they had taught; others fled from the ſtorm. To the greater part of theſe, Switzerland and Germany opened a ſecure aſylum; and not a few, out of choice or neceſſity, fled into Scotland. What they had ſeen and felt in England did not abate the warmth and zeal of their indignation againſt popery. Their attacks were bolder and more ſucceſsful than ever; and their doctrines made a rapid progreſs among all ranks of men.

Theſe doctrines, calculated to rectify the opinions, and to reform the manners of mankind, had hitherto produced no other effects; but they ſoon began to operate with greater violence, and proved the occaſion, not only of ſubverting the eſtabliſhed religion, but of

ſhaking the throne, and endangering the kingdom. The cauſes which facilitated the introduction of theſe new opinions into Scotland, and which diſſeminated them ſo faſt through the nation, merit, on that account, a particular and careful enquiry. The Reformation is one of the greateſt events in the hiſtory of mankind, and, in whatever point of light we view it, is inſtructive and intereſting.

The revival of learning in the fifteenth and ſixteenth centuries rouſed the world from that lethargy in which it had been ſunk for many ages. The human mind felt its own ſtrength, broke the fetters of authority by which it had been ſo long reſtrained, and venturing to move in a larger ſphere, puſhed its enquiries into every ſubject with great boldneſs and ſurpriſing ſucceſs.

No ſooner did mankind recover the capacity of exerciſing their reaſon, than religion was one of the firſt objects which drew their attention. Long before Luther publiſhed his famous theſes which ſhook the papal throne, ſcience and philoſophy had laid open, to many of the Italians, the impoſture and abſurdity of the eſtabliſhed ſuperſtition. That ſubtle and refined people, ſatisfied with enjoying thoſe diſcoveries in ſecret, were little diſpoſed to aſſume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wiſe, while vulgar minds muſt be overawed and governed by popular errors. But, animated with a more noble and diſintereſted zeal, the German theologian boldly erected the ſtandard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all ſucceeding ages.

The occaſion of Luther's being firſt diſguſted with the tenets of the Romiſh church, and how, from a ſmall rupture, the quarrel widened into an irreparable breach, is known to every one who has been the leaſt converſant in hiſtory. From the heart of Germany his opinions ſpread, with aſtoniſhing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient, but ill-founded ſyſtem. The vigi-

lance and addreſs of the court of Rome, and the power and bigotry of the Auſtrian family, ſuppreſſed theſe notions on their firſt appearance in the ſouthern kingdoms of Europe. But the fierce ſpirit of the north, irritated by multiplied impoſitions, could neither be mollified by the ſame arts, nor ſubdued by the ſame force; and encouraged by ſome princes from piety, and by others out of avarice, it eaſily bore down the feeble oppoſition of an illiterate and immoral clergy.

The ſuperſtition of popery ſeems to have grown to the moſt extravagant height in thoſe countries which are ſituated towards the different extremities of Europe. The vigour of imagination, and ſenſibility of frame, peculiar to the inhabitants of ſouthern climates, rendered them ſuſceptible of the deepeſt impreſſions of ſuperſtitious terror and credulity. Ignorance and barbarity were no leſs favourable to the progreſs of the ſame ſpirit among the northern nations. They knew little, and were diſpoſed to believe every thing. The moſt glaring abſurdities did not ſhock their groſs underſtandings, and the moſt improbable fictions were received with implicit aſſent and admiration.

Accordingly, that form of popery which prevailed in Scotland was of the moſt bigotted and illiberal kind. Thoſe doctrines which are moſt apt to ſhock the human underſtanding, and thoſe legends which fartheſt exceed belief, were propoſed to the people without any attempt to palliate or diſguiſe them; nor did they ever call in queſtion the reaſonableneſs of the one, or the truth of the other.

The power and wealth of the church kept pace with the progreſs of ſuperſtition; for it is the nature of that ſpirit to obſerve no bounds in its reſpect and liberality towards thoſe whoſe character it eſteems ſacred. The Scottiſh kings early demonſtrated how much they were under its influence, by their vaſt additions to the immunities and riches of the clergy. The profuſe piety of David I. who acquired on that account the name of ſaint, transferred almoſt the whole crown lands, which were at that time of great extent, into the hands

of eccleſiaſtics. The example of that virtuous prince was imitated by his ſucceſſors. The ſpirit ſpread among all orders of men, who daily loaded the prieſthood with new poſſeſſions. The riches of the church all over Europe were exorbitant; but Scotland was one of thoſe countries wherein they had fartheſt exceeded the juſt proportion. The Scottiſh clergy paid one half of every tax impoſed on land; and as there is no reaſon to think that in that age they would be loaded with any unequal ſhare of the burden, we may conclude that, by the time of the Reformation, little leſs than one half of the property in the nation had fallen into the hands of a ſociety, which is always acquiring, and can never loſe.

The nature, too, of a conſiderable part of their property, extended their influence. Many eſtates throughout the kingdom held of the church; church-lands were let in leaſe at an eaſy rent, and were poſſeſſed by the younger ſons and deſcendents of the beſt families*. The connection between *ſuperior* and *vaſſal*, between landlord and tenant, created dependencies, and gave riſe to an union of great advantage to the church; and in eſtimating the influence of the popiſh eccleſiaſtics over the nation, theſe, as well as the real amount of their revenues, muſt be attended to, and taken into the account.

This extraordinary ſhare in the national property was accompanied with proportionable weight in the ſupreme council of the kingdom. At a time when the number of the temporal peers was extremely ſmall, and when the leſſer barons and repreſentatives of boroughs ſeldom attended parliaments, the eccleſiaſtics formed a conſiderable body there. It appears from the ancient rolls of parliament, and from the manner of chooſing the lords of articles, that the proceedings of that high court muſt have been, in a great meaſure, under their direction†.

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* Keith, 521. Not. (b).

† Spotſ. Hiſt. of the Church of Scotland, 449.

The reverence due to their ſacred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the popiſh clergy are remarkable, both as cauſes and effects of that dominion, which they had acquired over the reſt of mankind. They were regarded by the credulous laity as beings of a ſuperior ſpecies; they were neither ſubject to the ſame laws, nor tried by the ſame judges†. Every guard, that religion could ſupply, was placed around their power, their poſſeſſions, and their perſons; and endeavours were uſed, not without ſucceſs, to repreſent them all as equally ſacred.

The reputation for learning, which, however inconſiderable, was wholly engroſſed by the clergy, added to the reverence which they derived from religion. The principles of ſound philoſophy, and of a juſt taſte, were altogether unknown; in place of theſe, were ſubſtituted ſtudies, barbarous and uninſtructive; but as the eccleſiaſtics alone were converſant in them, this procured them eſteem; and a very ſmall degree of knowledge drew the admiration of rude ages, which knew little. War was the ſole profeſſion of the nobles, and hunting their chief amuſement; they divided their time between theſe: unacquainted with the arts, and unimproved by ſcience, they diſdained any employment foreign from military affairs, or which required rather penetration and addreſs, than bodily vigour. Wherever the former were neceſ-

† To what extent this exemption of the clergy from lay juriſdiction extended, appears from a curious tranſaction in the parliament of 1546. When that court was about to pronounce ſentence of forfeiture upon the murderers of cardinal Beatoun, among whom was a prieſt who had actually joined in the aſſaſſination, deteſtable as that crime was among the clergy, they ſent one of their order, and claimed that he might be freed from the judgment of parliament, becauſe he was *a ſpiritual man*. Upon this he was exempted from the forfeiture. Epiſt. Reg. Scot. ii. 35.

ſary, the clergy were intruſted; becauſe they alone were properly qualified for the truſt. Almoſt all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the firſt ſubject in the kingdom, both in dignity and in power. From the earlieſt ages of the monarchy, to the death of cardinal Beatoun, fifty-four perſons had held that high office; and of theſe, forty-three had been eccleſiaſtics*. The lords of ſeſſion were ſupreme judges in all matters of civil right; and by its original conſtitution, the preſident and one half of the ſenators in this court were churchmen.

To all this we may add, that the clergy being ſeparated from the reſt of mankind by the law of celibacy, and undiſtracted by thoſe cares, and unincumbered with thoſe burdens, which occupy and oppreſs other men, the intereſt of their order became their only object, and they were at full leiſure to purſue it.

The nature of their function gave them acceſs to all perſons and at all ſeaſons. They could employ all the motives of fear and of hope, of terror and of conſolation, which operate moſt powerfully on the human mind. They haunted the weak and the credulous; they beſieged the beds of the ſick and of the dying; they ſuffered few to go out of the world without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their ſins, by beſtowing riches upon thoſe who called themſelves his ſervants.

When their own induſtry, or the ſuperſtition of mankind failed of producing this effect, they had influence enough to call in the aid of law. Whoever died *inteſtate*, was preſumed to have deſtined his moveables to pious uſes. The church took poſſeſſion of them. The children, the wife, the creditors of the perſon deceaſed, were often excluded from any ſhare in what was eſteemed a ſacred property†. As men are apt to truſt

* Crawf. Offic. of State.

† Eſſays on Brit. Antiq 174. Annals of Scotland, by Sir David Dalrymple, vol. i. Append. No. ii.

to the continuance of life with fooliſh confidence, and childiſhly ſhun every thing that forces them to think of their mortality, many die without ſettling their affairs by will; and the bold uſurpation of eccleſiaſtics in this caſe, of which there are frequent veſtiges in our laws, though none in our hiſtorians, may be reckoned among the moſt plentiful ſources of the wealth of the church.

At the ſame time all matrimonial and teſtamentary cauſes could be tried only in the ſpiritual courts, and by laws which the clergy themſelves had framed. The penalty, too, by which the deciſions of theſe courts were enforced, added to their authority. A ſentence of excommunication was no leſs formidable than a ſentence of outlawry. It was pronounced on many occaſions, and againſt various crimes: and beſides excluding thoſe upon whom it fell, from Chriſtian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the ſecular power concurred with the ſuperſtition of mankind, in rendering the thunders of the church no leſs deſtructive than terrible.

To theſe general cauſes may be attributed the immenſe growth both of the wealth and power of the popiſh church; and without entering into any more minute detail, this may ſerve to diſcover the foundations on which a ſtructure ſo ſtupendous was erected.

But though the laity had contributed, by their own ſuperſtition and profuſeneſs, to raiſe the clergy from poverty and obſcurity to riches and eminence, they began by degrees to feel and to murmur at their encroachments. No wonder haughty and martial nobles ſhould view the power and poſſeſſions of the church with envy, and regard the lazy and inactive character of churchmen with the utmoſt contempt; while, at the ſame time, the indecent and licentious lives of the clergy, gave great and juſt offence to the people, and conſiderably abated the veneration which they were accuſtomed to yield to that order of men.

Immenſe wealth, extreme indolence, groſs ignorance, and, above all, the ſevere injunction of celibacy, had concurred to introduce this corruption of mo-

rals among a number of clergy, who, presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissolution of manners prevailed among the Scottish clergy*. Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawford's son†; and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate‡.

Men of such characters ought, in reason, to have been alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the protestant preachers; but the popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the cen-

* Winzet. ap. Keith, Append. 202, 205. Lesl. de Reb. Gest. Scot. 232.

† The marriage articles, subscribed with his own hand, in which he calls her *my daughter*, are still extant. Keith, p. 42.

‡ A remarkable proof of the dissolute manners of the clergy is found in the public records. A greater number of letters of *legitimation* was granted during the first thirty years after the Reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the popish clergy. The ecclesiastics who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their families. In *Keith's Catalogue of Scottish Bishops*, we find several instances of such alienations of church lands, by the popish incumbents, to their natural children.

ſures of the people. While the reformers, by their mortifications and auſterities, endeavoured to reſemble the firſt propagators of Chriſtianity, the popiſh clergy were compared to all thoſe perſons who are moſt infamous in hiſtory for the enormity and ſcandal of their crimes.

On the other hand, inſtead of mitigating the rigour, or colouring over the abſurdity of the eſtabliſhed doctrines; inſtead of attempting to found them upon ſcripture, or to reconcile them to reaſon; they left them without any other ſupport or recommendation but the authority of the church and the decrees of councils. The fables concerning purgatory, the virtues of pilgrimage, and the merits of the ſaints, were the topics on which they inſiſted in their diſcourſes to the people; and the duty of preaching being left wholly to monks of the loweſt and moſt illiterate orders, their compoſitions were ſtill more wretched and contemptible than the ſubjects on which they inſiſted. While the reformers were attended by crowded and admiring audiences, the popiſh preachers were either univerſally deſerted, or liſtened to with ſcorn.

The only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unſucceſsful. As many doctrines of their church had derived their credit at firſt from the authority of falſe miracles, they now endeavoured to call in theſe to their aid*. But thoſe lying wonders, which were beheld with unſuſpicious admiration, or heard with implicit faith, in times of darkneſs and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected theſe impoſtures, and expoſed not only them, but the cauſe which needed the aid of ſuch artifices, to ridicule.

As the popiſh eccleſiaſtics became more and more the objects of hatred and of contempt, the diſcourſes of the reformers were liſtened to as ſo many calls to liberty;

* Spotſwood, 69.

and beſides the pious indignation which they excited againſt thoſe corrupt doctrines which had perverted the nature of true Chriſtianity; beſides the zeal which they inſpired for the knowledge of truth, and the purity of religion; they gave riſe alſo, among the Scottiſh nobles, to other views and paſſions. They hoped to ſhake off the yoke of eccleſiaſtical dominion, which they had long felt to be oppreſſive, and which they now diſcovered to be unchriſtian. They expected to recover poſſeſſion of the church revenues, which they were now taught to conſider as alienations made by their anceſtors, with a profuſion no leſs undiſcerning than unbounded. They flattered themſelves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themſelves within the ſphere peculiar to their ſacred character. An averſion for the eſtabliſhed church, which flowed from ſo many concurring cauſes, which was raiſed by conſiderations of religion, and heightened by motives of policy, ſpread faſt through the nation, and excited a ſpirit that burſt out at laſt with irreſiſtible violence.

Religious conſiderations alone were ſufficient to have roufed this ſpirit. The points in controverſy with the church of Rome were of ſo much importance to the happineſs of mankind, and ſo eſſential to Chriſtianity, that they merited all the zeal with which the reformers contended in order to eſtabliſh them. But the Reformation having been repreſented as the effect of ſome wild and enthuſiaſtic frenzy in the human mind, this attempt to account for the eagerneſs and zeal with which our anceſtors embraced and propagated the proteſtant doctrines, by taking a view of the political motives alone which influenced them, and by ſhewing how naturally theſe prompted them to act with ſo much ardour, will not, perhaps, be eſteemed, an unneceſſary digreſſion. We now return to the courſe of the hiſtory.

The queen's elevation to the office of regent ſeems to have tranſported her, at firſt, beyond the known prudence and moderation of her character. She began her adminiſtration, by conferring upon foreigners ſeveral

offices of truſt and of dignity; a ſtep which, both from the inability of ſtrangers to diſcharge their offices with vigour, and from the envy which their preferment excites among the natives, is never attended with good conſequences. Vilmort was made comptroller, and entruſted with the management of the public revenues; Bonot was appointed governor of Orkney; and Rubay honoured with the cuſtody of the great ſeal, and the title of vice-chancellor*. It was with the utmoſt indignation, that the Scots beheld offices of the greateſt eminence and authority dealt out among ſtrangers†. By theſe promotions they conceived the queen to have offered an inſult both to their underſtandings and to their courage; to the former, by ſuppoſing them unfit for thoſe ſtations which their anceſtors had filled with ſo much dignity; to the latter, by imagining that they were tame enough not to complain of an affront, which, in no former age, would have been tolerated with impunity.

While their minds were in this diſpoſition, an incident happened which inflamed their averſion from French councils to the higheſt degree. Ever ſince the famous conteſt between the houſes of Valois and Plantagenet, the French had been accuſtomed to embarraſs the Engliſh, and to divide their ſtrength by the ſudden and formidable incurſions of their allies, the Scots. But, as theſe inroads were ſeldom attended with any real advantage to Scotland, and expoſed it to the dangerous reſentment of a powerful neighbour, the Scots began to grow leſs tractable than formerly, and ſcrupled any longer to ſerve an ambitious ally at the price of their own quiet and ſecurity. The change, too, which was daily introducing into the art of war, rendered the aſſiſtance of the Scottiſh forces of leſs importance to the French monarch. For theſe reaſons, Henry having reſolved up-

* Leſly de Reb. Geſt. Scot. 189.

† The ſpirit of reſentment againſt the French was ſo violent, that it became neceſſary to paſs an act of parliament to reſtrain it. Parl. 6. Q. Mary, c. 60.

on a war with Philip II. and foreſeeing that the queen of England would take part in her huſband's quarrel, was extremely ſolicitous to ſecure in Scotland the aſſiſtance of ſome troops, which would be more at his command than an undiſciplined army, led by nobles who were almoſt independent. In proſecution of this deſign, but under pretence of relieving the nobles from the expence and danger of defending the borders, the queen regent propoſed in parliament, to regiſter the value of lands throughout the kingdom, to impoſe on them a ſmall tax, and to apply that revenue towards maintaining a body of regular troops in conſtant pay. A fixed tax upon land, which the growing expence of government hath introduced into almoſt every part of Europe, was unknown at that time, and ſeemed altogether inconſiſtent with the ſpirit of the feudal government. Nothing could be more ſhocking to a generous and brave nobility, than the entruſting to mercenary hands the defence of thoſe territories which had been acquired, or preſerved, by the blood of their anceſtors. They received this propoſal with the higheſt indignation. About three hundred of the leſſer barons repaired in a body to the queen regent, and repreſented their ſenſe of the intended innovation, with that manly and determined boldneſs which is natural to a free people in a martial age. Alarmed at a remonſtrance delivered in ſo firm a tone, and ſupported by ſuch formidable numbers, the queen prudently abandoned a ſcheme, which ſhe found to be univerſally odious. As the queen herſelf was known perfectly to underſtand the circumſtances and temper of the nation, this meaſure was imputed wholly to the ſuggeſtions of her foreign counſellors; and the Scots were ready to proceed to the moſt violent extremities againſt them.

The French, inſtead of extinguiſhing, added fuel to the flame. They had now commenced hoſtilities againſt Spain, and Philip had prevailed on the queen of England to reinforce his army with a conſiderable body of her troops. In order to deprive him of this aid, Henry had recourſe, as he projected, to the Scots; and at-

tempted to excite them to invade England. But, as Scotland had nothing to dread from a princeſs of Mary's character, who, far from any ambitious ſcheme of diſturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical ſubjects; the nobles who were aſſembled by the queen regent at Newbattle, liſtened to the ſolicitations of the French monarch with extreme coldneſs, and prudently declined engaging the kingdom in an enterpriſe ſo dangerous and unneceſſary. What ſhe could not obtain by perſuaſion, the queen regent brought about by ſtratagem. Notwithſtanding the peace which ſubſiſted between the two kingdoms, ſhe commanded her French ſoldiers to rebuild a ſmall fort near Berwick, which was appointed, by the laſt treaty, to be razed. The garriſon of Berwick ſallied out, interrupted the work, and ravaged the adjacent country. This inſult rouſed the fiery ſpirit of the Scots, and their promptneſs to revenge the leaſt appearance of national injury, diſſipated, in a moment, the wiſe and pacific reſolutions which they had ſo lately formed. War was determined, and orders inſtantly given for raiſing a numerous army. But before their forces could aſſemble, the ardour of their indignation had time to cool, and the Engliſh having diſcovered no intention to puſh the war with vigour, the nobles reſumed their pacific ſyſtem, and reſolved to ſtand altogether upon the defenſive. They marched to the banks of the Tweed, they prevented the incurſions of the enemy; and having done what they thought ſufficient for the ſafety and honour of their country, the queen could not induce them, either by her intreaties or her artifices, to advance another ſtep.

While the Scots perſiſted in their inactivity, D'Oyſel, the commander of the French troops, who poſſeſſed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hoſtilities. Contrary to the orders of the Scottiſh general, he marched over the Tweed with his own ſoldiers, and inveſted Werk, a garriſon of the Engliſh. The Scots, inſtead of ſeconding his attempt, were en-

raged at his preſumption. The queen's partiality towards France, had long been ſuſpected; but it was now viſible that ſhe wantonly ſacrificed the peace and ſafety of Scotland to the intereſt of that ambitious and aſſuming ally. Under the feudal governments, it was in camps that ſubjects were accuſtomed to addreſs the boldeſt remonſtrances to their ſovereigns. While arms were in their hands, they felt their own ſtrength; and at that time all theſe repreſentations of grievances carried the authority of commands. On this occaſion, the indignation of the nobles broke out with ſuch violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly diſmiſſed her army, and retired with the utmoſt ſhame and diſguſt; having diſcovered the impotence of her own authority, without effecting any thing which could be of advantage to France *.

It is obſervable, that this firſt inſtance of contempt for the regent's authority can, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretenſions to the regency had been principally ſupported by thoſe who favoured the Reformation, and as ſhe ſtill needed them for a counterpoiſe to the archbiſhop of St. Andrews, and the partiſans of the houſe of Hamilton, they were now treated by her with great reſpect, and even admitted to no inconſiderable ſhare in her favour and confidence. Kirkaldy of Grange, and the other ſurviving conſpirators againſt cardinal Beatoun, were, about this time, recalled by her from baniſhment; and, through her connivance, the proteſtant preachers enjoyed an interval of tranquillity, which was of great advantage to their cauſe. Soothed by theſe inſtances of the queen's moderation and humanity, the proteſtants abandoned the office of remonſtrating to others; and the leaders of the oppoſite factions ſet them the firſt example of diſputing the will of their ſovereign.

As the queen regent felt how limited and precarious

* Strype's Memor. iii. Append. 274. Leſly, 196.

her authority was, while it depended on the poiſe of theſe contrary factions, ſhe endeavoured to eſtabliſh it on a broader and more ſecure foundation, by haſtening the concluſion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and conſiderable as the territories were which ſhe would have added to the French monarchy, there did not want reaſons to diſſuade Henry from completing his firſt plan of marrying her to his ſon. The conſtable Montmorency had employed all his intereſt to defeat an alliance which reflected ſo much luſtre on the princes of Lorrain. He had repreſented the impoſſibility of maintaining order and tranquillity among a turbulent people during the abſence of their ſovereign; and for that reaſon had adviſed Henry to beſtow the young queen upon one of the princes of the blood, who, by reſiding in Scotland, might preſerve that kingdom an uſeful ally to France, which, by a nearer union to the crown, would become a mutinous and ungovernable province *. But at this time the conſtable was a priſoner in the hands of the Spaniards; the princes of Lorrain were at the height of their power; and their influence, ſeconded by the charms of the young queen, triumphed over the prudent but envious remonſtrances of their rival.

The French king accordingly applied to the parliament of Scotland, which appointed eight of its members † to repreſent the whole body of the nation at the marriage of the queen. Among the perſons on whom the public choice conferred this honourable character, were ſome of the moſt avowed and zealous advocates for the Reformation; by which may be eſtimated the degree of reſpect and popularity which that party had now attained in the kingdom. The inſtructions of the

* Melv. Mem. 15.

† Viz. The archbiſhop of Glaſgow, the biſhop of Roſs, the biſhop of Orkney, the earls of Rothes and Caſſils, lord Fleming, lord Seton, the prior of St. Andrews, and John Erſkine of Dun.

parliament to thoſe commiſſioners ſtill remain†, and do honour to the wiſdom and integrity of that aſſembly. At the ſame time that they manifeſted, with reſpect to the articles of marriage, a laudable concern for the dignity and intereſt of their ſovereign, they employed every precaution which prudence could dictate for preſerving the liberty and independence of the nation, and for ſecuring the ſucceſſion of the crown in the houſe of Hamilton.

With regard to each of theſe, the Scots obtained whatever ſatisfaction their fear or jealouſy could demand. The young queen, the dauphin, and the king of France, ratified every article with the moſt ſolemn oaths, and confirmed them by deeds in form under their hands and ſeals. But on the part of France, all this was one continued ſcene of ſtudied and elaborate deceit. Previous to theſe public tranſactions with the Scottiſh deputies, Mary had been perſuaded to ſubſcribe privately three deeds, equally unjuſt and invalid; by which, failing the heirs of her own body, ſhe conferred the kingdom of Scotland, with whatever inheritance or ſucceſſion might accrue to it, in free gift upon the crown of France, declaring all promiſes to the contrary, which the neceſſity of her affairs, and the ſolicitations of her ſubjects, had extorted, or might extort from her, to be void and of no obligation*. As it gives us a proper idea of the character of the French court under Henry II. we may obſerve that the king himſelf, the keeper of the great ſeals, the duke of Guiſe, and the cardinal of Lorrain, were the perſons engaged in conducting this perfidious and diſhonourable project. The queen of Scots was the only innocent actor in that ſcene of iniquity. Her youth, her inexperience, her education in a foreign country, and her deference to the advice of her uncles, muſt vindicate her, in the judgment of every impartial perſon, from any imputation of blame on that account.

† Keith, Append. 13.

* Corps diplomat. tom. v. 21. Keith, 73.

This grant, by which Mary beſtowed the inheritance of her kingdom upon ſtrangers, was concealed with the utmoſt care from her ſubjects. They ſeem, however, not to have been unacquainted with the intention of the French to overturn the ſettlement of the ſucceſſion in favour of the duke of Chatelherault. The zeal with which the archbiſhop of St. Andrews oppoſed all the meaſures of the queen regent, evidently proceeded from the fears and ſuſpicions of that prudent prelate on this head†.

The marriage, however, was celebrated with great pomp; and the French, who had hitherto affected to draw a veil over their deſigns upon Scotland, began now to unfold their intentions without any diſguiſe. In the treaty of marriage, the deputies had agreed that the dauphin ſhould aſſume the name of king of Scotland. This they conſidered only as an honorary title; but the French laboured to annex to it ſome ſolid privileges and powers. They inſiſted that the dauphin's title ſhould be publicly recogniſed; that the *crown matrimonial* ſhould be conferred upon him; and that all the rights pertaining to the huſband of a queen ſhould be veſted in his perſon. By the laws of Scotland, a perſon who married an heireſs kept poſſeſſion of her eſtate during his own life, if ſhe happened to die without children*. This was called the *courteſy of Scotland*. The French aimed at applying this rule, which takes place in private inheritances, to the ſucceſſion of the kingdom; and that ſeems to be implied in their demand of the *crown matrimonial*, a phraſe peculiar to the Scottiſh hiſtorians, and which they have neglected to explain†.

† About this time the French ſeem to have had ſome deſign of reviving the earl of Lennox's pretenſions to the ſucceſſion, in order to intimidate and alarm the duke of Chatelherault. Haynes, 215. 219. Forbes's collect. vol. i. 189.

* Reg. Maj. lib. ii. 48.

† It ſeems to have been the uſage of Scotland for the huſband of the queen, by the gift of the *crown matrimo-*

As the French had reaſon to expect difficulties in carrying through this meaſure, they began with ſounding the deputies who were then at Paris. The Engliſh in the marriage-articles between their queen and Philip of Spain, had ſet an example to the age, of that prudent jealouſy and reſerve, with which a foreigner ſhould be admitted near the throne. Full of the ſame ideas, the Scottiſh deputies had, in their oath of allegiance to the dauphin, expreſſed themſelves with remarkable caution†. Their anſwer was in the ſame ſpirit, reſpectful, but firm; and diſcovered a fixed reſolution of conſenting to nothing that tended to introduce any alteration in the order of the ſucceſſion to the crown.

Four of the deputies § happening to die before they returned into Scotland, this accident was univerſally imputed to the effects of poiſon, which was ſuppoſed to have been given them by the emiſſaries of the houſe of Guiſe. The hiſtorians of all nations diſcover an amazing credulity with reſpect to reports of this kind, which are ſo well calculated to pleaſe the malignity of ſome men, and to gratify the love of the marvellous, which is natural to all, that in every age they have been

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nial, to aſſume the title of king, to ſign public inſtruments, along with the queen, and to have his name ſtamped on all the coinage. Thus his authority became equally powerful and neceſſary as that of the queen, becauſe without his agreement and ſignature, no public deed was eſteemed as valid or binding. But this uſage obtained only during the continuance of the marriage. Hence the commiſſioners to the dauphin became bound by their oath of fidelity to him only during the life of the queen. But the aſſaſſinators of Rizzio bound themſelves to procure for Darnley a grant of the *crown matrimonial* for the whole term of his life, which was departing from the cuſtom of former times. Keith, Append. 120. Good, i. 227.

† Keith, Append. 20.

§ The biſhop of Orkney, the earl of Rothes, the earl of Caſſils, and lord Fleming.

ſwallowed without examination, and believed contrary to reaſon. No wonder the Scots ſhould eaſily give credit to a ſuſpicion, which received ſuch ſtrong colours of probability, both from their own reſentment, and from the known character of the princes of Lorrain, ſo little ſcrupulous about the juſtice of the ends which they purſued, or of the means which they employed. For the honour of human nature it muſt, however, be obſerved, that as we can diſcover no motive which could induce any man to perpetrate ſuch a crime, ſo there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animoſities and prejudices, were incapable of examining the circumſtances of the caſe with calmneſs, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this deteſtable action; and it is obvious how much this tended to increaſe the averſion for them, which was growing among all ranks of men.

Notwithſtanding the cold reception which their propoſal concerning the *crown matrimonial* met with from the Scottiſh deputies, the French ventured to move it in parliament. The partiſans of the houſe of Hamilton, ſuſpicious of their deſigns upon the ſucceſſion, oppoſed it with great zeal. But a party, which the feeble and unſteady conduct of their leader had brought under much diſreputation, was little able to withſtand the influence of France, and the addreſs of the queen regent, ſeconded, on this occaſion, by all the numerous adherents of the Reformation. Beſides, that artful princeſs dreſſed out the French demands in a leſs offenſive garb, and threw in ſo many limitations, as ſeemed to render them of ſmall conſequence. Theſe either deceived the Scots, or removed their ſcruples; and in compliance to the queen, they paſſed an act, conferring the *crown matrimonial* on the dauphin; and with the fondeſt credulity, truſted to the frail ſecurity of words and ſtatutes, againſt the dangerous encroachments of power *.

* The act of parliament is worded with the utmoſt

The concurrence of the proteſtants with the queen regent, in promoting a meaſure ſo acceptable to France, while the popiſh clergy, under the influence of the archbiſhop of St. Andrews, oppoſed it with ſo much violence†, is one of thoſe ſingular circumſtances in the conduct of parties, for which this period is ſo remarkable. It may be aſcribed, in ſome degree, to the dexterous management of the queen, but chiefly to the moderation of thoſe who favoured the Reformation. The proteſtants were by this time almoſt equal to the catholics, both in power and in number; and, conſcious of their own ſtrength, they ſubmitted with impatience to that tyrannical authority with which the ancient laws armed the eccleſiaſtics againſt them. They longed to be exempted from this oppreſſive juriſdiction, and publicly to enjoy the liberty of profeſſing thoſe opinions, and of exerciſing that worſhip, which ſo great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of prieſtly authority was oppoſed, there were only two ways of obtaining. Either violence muſt extort it from the reluctant hand of their ſovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redreſs of grievances, to which no nation has recourſe ſuddenly; and ſubjects ſeldom venture upon reſiſtance, which is their laſt remedy, but in caſes of extreme neceſſity. On this occaſion the Reformers wiſely held the oppoſite courſe, and by their zeal in forwarding the queen's deſigns, they hoped to merit her protection.

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care, with a view to guard againſt any breach of the order of ſucceſſion. But the duke, not relying on this alone, entered a ſolemn proteſtation to ſecure his own right. Keith, 76. It is plain that he ſuſpected the French of having ſome intention to ſet aſide his right of ſucceſſion; and indeed, if they had no deſign of that kind, the eagerneſs with which they urged their demand, was childiſh.

† Melv. 47.

This diſpoſition the queen encouraged to the utmoſt, and amuſed them ſo artfully with many promiſes, and ſome conceſſions, that, by their aſſiſtance ſhe ſurmounted in parliament the force of a national and perhaps a laudable jealouſy, which would otherwiſe have ſwayed with the greater number.

Another circumſtance contributed ſomewhat to acquire the regent ſuch conſiderable influence in this parliament. In Scotland, all the biſhoprics, and thoſe abbeys which conferred a title to a ſeat in parliament, were in the gift of the crown†. From the time of her acceſſion to the regency, the queen had kept in her own hands almoſt all thoſe which became vacant, except ſuch as were, to the great diſguſt of the nation, beſtowed upon foreigners. Among theſe, her brother the cardinal of Lorrain had obtained the abbeys of Kelſo and Melroſs, two of the moſt wealthy foundations in the kingdom‡. By this conduct, ſhe thinned the eccleſiaſtical bench‖, which was entirely under the influence of the archbiſhop of St. Andrews, and by its numbers and authority had great weight in the houſe, ſo as to render any oppoſition it could give at that period of little conſequence.

The earl of Argyll, and James Stewart prior of St. Andrews, one of the moſt powerful, and the other the moſt popular leader of the proteſtants, were appointed to carry the crown and other enſigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more intereſting ſcene, which now begins to open.

Before we turn towards this, it is neceſſary to obſerve, that on the 17th of November, 1558, Mary of England finiſhed her ſhort and inglorious reign. Her ſiſter Elizabeth took poſſeſſion of the throne without oppoſition; and the proteſtant religion was once more eſtabliſhed

† See Book I. ‡ Leſly, 202.

‖ It appears from the rolls of this parliament, which Leſly calls a very full one, that only ſeven biſhops and ſixteen abbots were preſent.

by law in England. The acceſſion of a queen, who, under very difficult circumſtances, had given ſtrong indications of thoſe eminent qualities, which, in the ſequel, rendered her reign ſo illuſtrious, attracted the eyes of all Europe. Among the Scots both parties obſerved her firſt motions with the utmoſt ſolicitude, as they eaſily foreſaw that ſhe would not remain long an indifferent ſpectator of their tranſactions.

Under many diſcouragements and much oppreſſion, the Reformation advanced towards a full eſtabliſhment in Scotland. All the low country, the moſt populous, and that time the moſt warlike part of the kingdom, was deeply tinctured with the proteſtant opinions; and if the ſame impreſſions were not made in the more diſtant counties, it was owing to no want of the ſame diſpoſitions among the people, but to the ſcarcity of preachers, whoſe moſt indefatigable zeal could not ſatisfy the avidity of thoſe who deſired their inſtructions. Among a people bred to arms, and ſo prone to mutiny as the Scots, and in an age when religious paſſions had taken ſuch ſtrong poſſeſſion of the human mind, and moved and agitated it with ſo much violence, the peaceable and regular demeanour of ſo numerous a party is truly aſtoniſhing. From the death of Mr. Patrick Hamilton, the firſt who ſuffered in Scotland for the proteſtant religion, thirty years had elapſed, and during ſo long a period no violation of public order or tranquillity had proceeded from that ſect*; and though, rouſed and irritated by the moſt cruel exceſſes of eccleſiaſtical tyranny, they did, in no inſtance, tranſgreſs thoſe bounds of duty which the law preſcribes to ſubjects. Beſides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the archbiſhop of St. Andrews encouraged the pacific diſpoſition. That prelate,

* The murder of cardinal Beatoun was occaſioned by private revenge, and being contrived and executed by ſixteen perſons, cannot with juſtice be imputed to the whole proteſtant party.

whoſe private life contemporary writers tax with great irregularities *, governed the church, for ſome years, with a temper and prudence of which there are few examples in that age. But ſome time before the meeting of laſt parliament, the archbiſhop departed from thoſe humane maxims by which he had hitherto regulated his conduct; and whether in ſpite to the queen, who had entered into ſo cloſe an union with the proteſtants, or in compliance with the importunities of his clergy, he let looſe all the rage of perſecution againſt the reformed; ſentenced to the flames an aged prieſt, who had been convicted of embracing the proteſtant opinions; and ſummoned ſeveral others, ſuſpected of the ſame crime, to appear before a ſynod of the clergy, which was ſoon to convene at Edinburgh.

Nothing could equal the horror of the proteſtants at this unexpected and barbarous execution, but the zeal with which they eſpouſed the defence of a cauſe that now ſeemed devoted to deſtruction. They had immediate recourſe to the queen regent; and as her ſucceſs in the parliament, which was then about to meet, depended on their concurrence, ſhe not only ſheltered them from the impending ſtorm, but permitted them the exerciſe of their religion with more freedom than they had hitherto enjoyed. Unſatisfied with this precarious tenure by which they held their religious liberty, the proteſtants laboured to render their poſſeſſion of it more ſecure and independent. With this view they determined to petition the parliament for ſome legal protection againſt the exorbitant and oppreſſive juriſdiction of the eccleſiaſtical courts, which, by their arbitrary method of proceeding, founded on the canon law, were led to ſentences the moſt ſhocking to humanity, by maxims the moſt repugnant to juſtice. But the queen, who dreaded the effect of a debate on this delicate ſubject, which could not fail of exciting high and dangerous paſſions, prevailed on the leaders of the party, by new and more ſolemn promiſes of her protection,

* Knox, Buchanan, Keith, 208.

to desist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not the entire redress, at least some mitigation of their grievances.

They applied to another assembly, to a convocation of the popish clergy, but with the same ill success which hath always attended every proposal for reformation, addressed to that order of men. To abandon usurped power, to renounce lucrative error, are sacrifices, which the virtue of individuals has, on some occasions, offered to truth; but from any society of men no such effort can be expected. The corruptions of a society, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the present conjuncture. All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to soothe, and to reconcile such a numerous body, asserted the doctrines of their church, with respect to some of the most exceptionable articles, with an ill-timed rigour, which gave new offence †.

During the sitting of the convocation, the protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united, as they conceived, by the strongest ties of affection and of gratitude, she discovered, on this occasion, evident symptoms, not only of coldness, but of a growing disgust and aversion. In order to account for this, our historians do little more than produce the trite observations concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, say they, having reached the utmost point to which her ambition aspired, no longer preserved her accustomed moderation, but, with

† Keith, 81.

an inſolence uſual to the fortunate, looked down upon thoſe by whoſe aſſiſtance ſhe had been enabled to riſe ſo high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's diſpoſition, that we muſt ſearch for the motives of her preſent conduct. Theſe were derived from another, and a more remote ſource, which, in order to clear the ſubſequent tranſactions, we ſhall endeavour to open with ſome care.

The ambition of the princes of Lorrain had been no leſs ſucceſsful than daring; but all their ſchemes were diſtinguiſhed by being vaſt and unbounded. Strangers at the court of France, their eminent qualities had raiſed them, in a ſhort time, to an height of power, ſuperior to that of all other ſubjects, and had placed them on a level even with the princes of the blood themſelves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and into a near alliance with it they were elevated by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they ſet on foot her claim to the crown of England, which was founded on pretences not unplauſible.

The tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his love, or of his reſentment, that impatient and arbitrary monarch had divorced or beheaded four of the ſix queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantaſtic inconſiſtence which diſtinguiſhes his character, he, in his laſt will, whereby he was empowered to ſettle the order of ſucceſſion, called both of them to the throne upon the death of their brother Edward; and, at the ſame time, paſſing by the poſterity of his eldeſt ſiſter Margaret queen of Scotland, he appointed the line of ſucceſſion to continue in the deſcendents of his younger ſiſter, the ducheſs of Suffolk.

In conſequence of this deſtination, the validity whereof

was admitted by the Engliſh, but never recogniſed by foreigners, Mary had reigned in England without the leaſt complaint of neighbouring princes. But the ſame cauſes which facilitated her acceſſion to the throne were obſtacles to the elevation of her ſiſter Elizabeth, and rendered her poſſeſſion of it precarious and inſecure. Rome trembled for the catholic faith, under a proteſtant queen of ſuch eminent abilities. The ſame ſuperſtitious fears alarmed the court of Spain. France beheld with indignation a throne, to which the queen of Scots could form ſo many pretenſions, occupied by a rival, whoſe birth, in the opinion of all good catholics, excluded her from any legal right of ſucceſſion. The impotent hatred of the Roman pontiff, or the ſlow councils of Philip II. would have produced no ſudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who at that time governed the court of France, was more deciſive, and more to be dreaded. Inſtigated by them, Henry, ſoon after the death of Mary, perſuaded his daughter-in-law, and her huſband, to aſſume the title of king and queen of England. They affected to publiſh this to all Europe. They uſed that ſtyle and appellation in public papers, ſome of which ſtill remain *. The arms of England were engraved on their coin and plate, and borne by them on all occaſions. No preparations, however, were made to ſupport this impolitic and premature claim. Elizabeth was already ſeated on her throne; ſhe poſſeſſed all the intrepidity of ſpirit, and all the arts of policy, which were neceſſary for maintaining that ſtation. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached. It was on that ſide, therefore, that the princes of Lorrain determined to make their attack†; and, by uſing the name and pretenſions of the Scottiſh queen, they

* Anderſ. Diplom. Scot. No. 68 and 164.

† Forbes, Collect. i. 253.

hoped to rouſe the Engliſh catholics, formidable at that time by their zeal and numbers, and exaſperated to the utmoſt againſt Elizabeth, on account of the change which ſhe had made in the national religion.

It was vain to expect the aſſiſtance of the Scottiſh proteſtants to dethrone a queen, whom all Europe eſteemed the guardian and defender of the reformed faith. To break the power and reputation of that party in Scotland became, for this reaſon, a neceſſary ſtep towards the invaſion of England. With this the princes of Lorrain reſolved to open their ſcheme. And as perſecution was the only method for ſuppreſſing religious opinions known in that age, or dictated by the deſpotic and ſanguinary ſpirit of the Romiſh ſuperſtition, this, in its utmoſt violence, they determined to employ. The earl of Argyle, the prior of St. Andrews, and other leaders of the party, were marked out by them for immediate deſtruction†; and they hoped, by puniſhing them, to intimidate their followers. Inſtructions for this purpoſe were ſent from France to the queen regent. That humane and ſagacious princeſs condemned a meaſure which was equally violent and impolitic. By long reſidence in Scotland, ſhe had become acquainted with the eager and impatient temper of the nation; ſhe well knew the power, the number, and popularity of the proteſtant leaders; and had been a witneſs to the intrepid and unconquerable reſolution which religious fervour could inſpire. What then could be gained by rouſing this dangerous ſpirit, which hitherto all the arts of policy had ſcarcely been able to reſtrain? If it once broke looſe, the authority of a regent would be little capable to ſubdue, or even to moderate its rage. If, in order to quell it, foreign forces were called in, this would give the alarm to the whole nation, irritated already at the exceſſive power which the French poſſeſſed in the kingdom, and ſuſpicious of all their deſigns. Amidſt the ſhock which this might occaſion, far from hoping to exterminate the proteſtant

† Forbes, i, 142.

doctrine, it would be well if the whole fabric of the eſtabliſhed church were not ſhaken, and perhaps overturned from the foundation. Theſe prudent remonſtrances made no impreſſion on her brothers; precipitant, but inflexible in all their reſolutions, they inſiſted on the full and rigorous execution of their plan. Mary, paſſionately devoted to the intereſt of France, and ready, on all occaſions, to ſacrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit ſubmiſſion*, and, contrary to her own judgment and to all the rules of ſound policy, ſhe became the inſtrument of exciting civil commotions in Scotland, which ended with the ruin of the French power, and of the popiſh religion in that kingdom.

From the time of the queen's competition for the regency with the duke of Chatelherault, the popiſh clergy, under the direction of the archbiſhop of St. Andrews, had ſet themſelves in oppoſition to all her meaſures. Her firſt ſtep toward the execution of her new ſcheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popiſh eccleſiaſtics, ſeparated from the reſt of mankind by the law of celibacy, the boldeſt and moſt ſucceſsful invention of human policy, and combined among themſelves in the cloſeſt and moſt ſacred union, have been accuſtomed, in every age, to ſacrifice all private and particular paſſions to the dignity and intereſt of their order. Delighted on this occaſion with the proſpect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of re-eſtabliſhing their declining grandeur on a firmer baſis; they at once cancelled the memory of paſt injuries, and engaged to ſecond the queen in all her attempts to check the progreſs of the Reformation. The queen, being ſecure of their aſſiſtance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and at the ſame time ſhe iſſued a proclamation, enjoining all perſons to ob-

* Melv. 48. Mem. de Caſtlenau, ap. Jebb, vol. ii. 446.

ſerve the approaching feſtival of Eaſter according to the Romiſh ritual.

As it was no longer poſſible to miſtake the queen's intentions, the proteſtants, who ſaw the danger approach, in order to avert it, employed the earl of Glencairn, and Sir Hugh Campbell of London, to expoſtulate with her concerning this change towards ſeverity, which their former ſervices had ſo little merited, and which her reiterated promiſes gave them no reaſon to expect. She, without diſguiſe or apology, avowed to them her reſolution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly, but honeſt boldneſs, ſhe ſo far forgot her uſual moderation, as to utter a ſentiment, which, however apt thoſe of royal condition may be to entertain it, prudence ſhould teach them to conceal with the utmoſt care. "The promiſes of princes, (ſays ſhe) ought not be too carefully remembered, nor the performance of them exacted, unleſs it ſuits their own conveniency."

The indignation which betrayed the queen into this raſh expreſſion, was nothing in compariſon of that with which ſhe was animated, upon hearing that the public exerciſe of the reformed religion had been introduced into the town of Perth. At once ſhe threw off the maſk, and iſſued a mandate, commanding all the proteſtant preachers in the kingdom to be ſummoned to a court of juſtice, which was to be held at Stirling on the tenth of May. The proteſtants, who from their union, began about this time to be diſtinguiſhed by the name of the CONGREGATION, were alarmed, but not intimidated by this danger; and inſtantly reſolved not to abandon the men to whom they were indebted for the moſt valuable of all bleſſings, the knowledge of truth. At that time there prevailed in Scotland, with reſpect to criminal trials, a cuſtom, introduced at firſt by the inſtitutions of vaſſalage and clanſhip, and tolerated afterwards under a feeble government: perſons accuſed of any crime were accompanied to the place of trial by a retinue of their friends and adherents, aſſembled for that

purpoſe from every corner of the kingdom. Authoriſed by this ancient practice, the reformed convened in great numbers, to attend their paſtors to Stirling. The queen dreaded their approach with a train ſo numerous, though unarmed; and in order to prevent them from advancing, ſhe empowered John Erſkine of Dun, a perſon of eminent authority with the party, to promiſe in her name that ſhe would put a ſtop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erſkine, being convinced himſelf of the queen's ſincerity, ſerved her with the utmoſt zeal; and the proteſtants, averſe from proceeding to any act of violence, liſtened with pleaſure to ſo pacific a propoſition. The preachers, with a few leaders of the party, remained at Perth; the multitude which had gathered from different parts of the kingdom diſperſed, and retired to their own habitations.

But, notwithſtanding this ſolemn promiſe, the queen, on the tenth of May, proceeded to call to trial the perſons who had been ſummoned, and upon their non-appearance the rigour of juſtice took place, and they were pronounced outlaws. By this ignoble artifice, ſo incompatible with regal dignity, and ſo inconſiſtent with that integrity which ſhould prevail in all tranſactions between ſovereigns and their ſubjects, the queen forfeited the eſteem and confidence of the whole nation. The proteſtants, ſhocked no leſs at the indecency with which ſhe violated the public faith, than at the danger which threatened themſelves, prepared boldly for their own defence. Erſkine, enraged at having been made the inſtrument for deceiving his party, inſtantly abandoned Stirling, and repairing to Perth, added to the zeal of his aſſociates, by his repreſentations of the queen's inflexible reſolution to ſuppreſs their religion.

The popular rhetoric of Knox powerfully ſeconded his repreſentations: but having been carried a priſoner into France, together with the other perſons taken in the caſtle of St. Andrews, ſoon made his eſcape out of that country; and reſiding ſometimes in England, and ſometimes in Scotland, had at laſt been driven out of both kingdoms by the rage of the popiſh clergy, and

was obliged to retire to Geneva. Thence he was called by the leaders of the proteſtants in Scotland; and, in compliance with their ſolicitations, he ſet out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried inſtantly to Perth to ſhare with his brethren in the common danger, or to aſſiſt them in the common cauſe. While their minds were in that ferment, which the queen's perfidiouſneſs and their own danger occaſioned, he mounted the pulpit, and by a vehement harangue againſt idolatry, inflamed the multitude with the utmoſt rage. The indiſcretion of a prieſt, who, immediately after Knox's ſermon, was preparing to celebrate maſs, and began to decorate the altar for that purpoſe, precipitated them into immediate action. With tumultuary, but irreſiſtable violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monaſteries, they in a few hours laid thoſe ſumptuous fabrics almoſt level with the ground. This riotous inſurrection was not the effect of any concert, or previous deliberation: cenſured by the reformed preachers, and publicly condemned by perſons of moſt power and credit with the party, it muſt be regarded merely as an accidental eruption of popular rage *.

But to the queen herſelf theſe proceedings appeared in a very different light. Beſides their manifeſt contempt for her authority, the proteſtants had violated every thing in religion which ſhe eſteemed venerable or holy; and on both theſe accounts ſhe determined to inflict the ſevereſt vengeance on the whole party. She had already drawn the troops in French pay to Stirling; with theſe, and what Scottiſh forces ſhe could levy of a ſudden, ſhe marched directly to Perth, in hopes of ſurpriſing the proteſtant leaders before they would aſſemble their followers, whom, out of confidence in her diſingenuous promiſes, they were raſhly induced to diſmiſs. Intelligence of theſe preparations and menaces

* Knox, Hiſt. 127, 128.

was ſoon conveyed to Perth. The proteſtants would gladly have ſoothed the queen, by addreſſes both to herſelf and to the perſons of greateſt credit in her court; but finding her inexorable, they, with great vigour, took meaſures for their own defence. Their adherents, animated with zeal for religion, and eager to expoſe themſelves in ſo good a cauſe, flocked in ſuch numbers to Perth, that they not only ſecured the town from danger, but were, within a few days, in a condition to take the field, and to face the queen, who advanced with an army ſeven thouſand ſtrong.

Neither party, however, was impatient to engage. The queen dreaded the event of a battle with men, whom the fervour of religion raiſed above the ſenſe of fear, or of danger. The proteſtants beheld, with regret, the earl of Argyle, the prior of St. Andrews, and ſome other eminent perſons of their party, ſtill adhering to the queen; and deſtitute of their aid and council, declined hazarding an action, the ill ſucceſs of which might have proved the ruin of their cauſe. The proſpect of an accommodation was for theſe reaſons highly acceptable to both ſides, Argyle and the prior, who were the queen's commiſſioners for conducting the negociation, ſeem to have been ſincerely deſirous of reconciling the contending factions; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the congregation, augmented the queen's eagerneſs for peace. A treaty was accordingly concluded, in which it was ſtipulated, that both armies ſhould be diſbanded, and the gates of Perth ſet open to the queen; that indemnity ſhould be granted to the inhabitants of that city, and to all others concerned in the late inſurrection; that no French garriſon ſhould be left in Perth, and no French ſoldiers ſhould approach within three miles of that place; and that a parliament ſhould immediately be held, in order to compoſe whatever differences might ſtill remain *.

The leaders of the congregation, diſtruſtful of the

* Keith, 89.

queen's ſincerity, and ſenſible that conceſſions, flowing not from inclination, but extorted by the neceſſity of her affairs, could not long remain in force, entered into a new aſſociation, by which they bound themſelves, on the firſt infringement of the preſent treaty, or in the leaſt appearance of danger to their religion, to re-aſſemble their followers, and to take arms in defence of what they deemed the cauſe of God and of their country*.

The queen, by her conduct, demonſtrated theſe precautions to be the reſult of no groundleſs or unneceſſary fear. No ſooner were the proteſtant forces diſmiſſed, than ſhe broke every article in the treaty. She introduced French troops into Perth, fined ſome of the inhabitants, baniſhed others, removed the magiſtrates out of office, and, on her retiring to Stirling, ſhe left behind her a garriſon of ſix hundred men, with orders to allow the exerciſe of no other religion than the Roman catholic. The ſituation of Perth, a place at that time of ſome ſtrength, and a town the moſt proper of any in the kingdom for the ſtation of a garriſon, ſeems to have allured the queen to this unjuſtifiable and ill-judged breach of public faith; which ſhe endeavoured to colour, by alleging that the body of men left at Perth was entirely compoſed of native Scots, though kept in pay by the king of France.

The queen's ſcheme began gradually to unfold; it was now apparent, that not only the religion, but the liberties of the kingdom were threatened; and that the French troops were to be employed as inſtruments for ſubduing the Scots, and wreathing the yoke upon their necks. Martial as the genius of the Scots then was, the poverty of their country made it impoſſible to keep their armies long aſſembled; and even a very ſmall body of regular troops might have proved formidable to the nation, though conſiſting wholly of ſoldiers. But what number of French forces were then in Scotland, at what times, and under what pretext they returned, after having left the kingdom in the year 1550, we cannot

* Knox, 138.

with any certainty determine. Contemporary hiſtorians often ſelect with little judgment the circumſtances which they tranſmit to poſterity; and, with reſpect to matters of the greateſt curioſity and importance, leave ſucceeding ages altogether in the dark. We may conjecture, however, from ſome paſſages in Buchanan, that the French, and Scots in French pay, amounted at leaſt to three thouſand men, under the command of Monſieur D'Oyſel, a creature of the houſe of Guiſe; and they were ſoon augmented to a much more formidable number.

The queen, encouraged by having ſo conſiderable a body of well-diſciplined troops at her command, and inſtigated by the violent counſels of D'Oyſel, had ventured, as we have obſerved, to violate the treaty of Perth, and, by that raſh action, once more threw the nation into the moſt dangerous convulſions. The earl of Argyll and prior of St. Andrews inſtantly deſerted a court where faith and honour ſeemed to be no longer regarded, and went over to the leaders of the congregation, who had retired to the eaſtern extremity of Fife. The barons from the neighbouring counties repaired to them, the preachers roufed the people to arms, and wherever they came, the ſame violent operations which accident had occaſioned at Perth, were now encouraged out of policy. The enraged multitude was let looſe, and churches and monaſteries, the monuments of eccleſiaſtic pride and luxury, were ſacrificed to their zeal.

In order to check their career, the queen, without loſing a moment, put her troops in motion; but the zeal of the congregation got the ſtart once more of her vigilance and activity. In that warlike age, when all men were accuſtomed to arms, and on the leaſt proſpect of danger were ready to run to them, the leaders of the proteſtants found no difficulty to raiſe an army. Tho' they ſet out from St. Andrews with a ſlender train of an hundred horſe, crowds flocked to their ſtandards from every corner of the country through which they marched; and before they reached Falkland, a village

only ten miles diſtant, they were able to meet the queen with ſuperior force ‖.

The queen, ſurpriſed at the approach of ſo formidable a body, which was drawn up by its leaders in ſuch a manner as added greatly in appearance to its numbers, had again recourſe to negociation. She found, however, that the preſervation of the proteſtant religion, their zeal for which had at firſt rouſed the leaders of the congregation to take arms, was not the only object they had now in view. They were animated with the warmeſt love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces; and theſe two paſſions mingling, added reciprocally to each other's ſtrength. Together with more enlarged notions in religion, the Reformation filled the human mind with more liberal and generous ſentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit ſubmiſſion to all her decrees, which is exacted by the Romiſh church, prepares and breaks the mind for political ſervitude; and the doctrines of the reformers, by overturning the eſtabliſhed ſyſtem of ſuperſtition, weakened the firmeſt foundations of civil tyranny. That bold ſpirit of inquiry, which led men to reject theological errors, accompanied them into other ſciences, and diſcovered every where, the ſame manly zeal for truth. A new ſtudy, introduced at the ſame time, added greater force to the ſpirit of liberty. Men became more acquainted with the Greek and Roman authors, who deſcribed exquiſite models of free government, far ſuperior to the inaccurate and oppreſſive ſyſtem eſtabliſhed by the feudal law; and produced ſuch illuſtrious examples of public virtue, as wonderfully ſuited both the circumſtances and ſpirit of that age. Many among the moſt eminent reformers were themſelves conſiderable maſters in ancient learning; and all of them eagerly adopted the maxims and ſpirit of the ancients, with

‖ Knox, 141.

regard to government §. The moſt ardent love of liberty accompanied the proteſtant religion throughout all its progreſs; and wherever it was embraced, it rouſed an independent ſpirit, which rendered men attentive to their privileges as ſubjects, and jealous of the encroachments of their ſovereigns. Knox, and the other preachers of the Reformation, infuſed generous ſentiments concerning government into the minds of their hearers; and the Scottiſh barons, naturally free and bold, were prompted to aſſert their rights with more freedom and boldneſs than ever. Inſtead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redreſs of their religious grievances, but as a preliminary toward ſettling the nation, and ſecuring its liberties, required the immediate expulſion of the French troops out of Scotland. It was not in the queen's power to make ſo important a conceſſion without the concurrence of the French monarch; and as ſome time was requiſite in order to obtain that, ſhe hoped, during this interval, to receive ſuch reinforcements from France, as would inſure the accompliſhment of that deſign which ſhe had twice attempted with unequal ſtrength. Meanwhile, ſhe agreed to a ceſſation of arms for eight days, and before the expiration of theſe, engaged to tranſport the French troops to the other ſide of the Forth; and to ſend commiſſioners to St. Andrews, who ſhould labour to bring all differ-

§ The exceſſive admiration of ancient policy was the occaſion of Knox's famous book concerning the *Government of Women*, wherein, conformable to the maxims of the ancient legiſlators, which modern experience has proved to be ill founded, he pronounces the elevation of women to the ſupreme authority to be utterly deſtructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The ſame obſervation may be made with regard to Buchanan's Dialogue, *De Jure Regni apud Scotos*. It is founded, not on the maxims of feudal, but of ancient republican government.

ences to an accommodation. As she hoped, by means of the French troops, to overawe the protestants in the southern counties, the former article in the treaty was punctually executed; the latter, having been inserted merely to amuse the congregation, was no longer remembered.

By these reiterated and wanton instances of perfidy, the queen lost all credit with her adversaries; and no safety appearing in any other course, they again took arms with more inflamed resentment, and with bolder and more extensive views. The removing of the French forces had laid open to them all the country situated between Forth and Tay. Perth alone remained subjected to the insolence and exactions of the garrison which the queen had left there, and implored the assistance of the congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to besiege it in form. The queen employed the earl of Huntly and lord Erskine to divert them from this enterprise. But her wonted artifices were now of no avail; repeated so often, they could deceive no longer; and without listening to her offers, the protestants continued the siege, and soon obliged the garrison to capitulate.

After the loss of Perth, the queen endeavoured to seize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the congregation, having intelligence of her design, prevented the execution of it, by an hasty march thither with part of their forces. The inhabitants, heartily attached to the cause, set open to them the gates of their town. Thence they advanced, with the same rapidity towards Edinburgh, which the queen, on their approach, abandoned with precipitation, and retired to Dunbar.

The protestant army, wherever it came, kindled or spread the ardour of Reformation, and the utmost excesses of violence were committed upon churches and monasteries. The former were spoiled of every deco-

ration, which was then eſteemed ſacred; the latter were laid in ruins. We are apt, at this diſtance of time, to condemn the furious zeal of the reformers, and to regret the overthrow of ſo many ſtately fabrics, the monuments of our anceſtors magnificence, and among the nobleſt ornaments of the kingdom. But amidſt the violence of a Reformation, carried on in oppoſition to legal authority, ſome irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and intereſt the multitude, or more fatal to the grandeur of the eſtabliſhed church. How abſurd ſoever and ill-founded the ſpeculative errors of popery may be, ſome inquiry and attention are requiſite towards diſcovering them. The abuſes and corruptions which had crept into the public worſhip of that church lay more open to obſervation, and, by ſtriking the ſenſes, excited more univerſal diſguſt. Under the long reign of heatheniſm, ſuperſtition ſeems to have exhauſted its talent of invention, ſo that when a ſuperſtitious ſpirit ſeized Chriſtians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and ſimple worſhip of the primitive Chriſtians, there ſucceeded a ſpecies of ſplendid idolatry, nearly reſembling thoſe pagan originals whence it had been copied. The contrariety of ſuch obſervances to the ſpirit of Chriſtianity was almoſt the firſt thing, in the Romiſh ſyſtem, which awakened the indignation of the reformers, who, applying to theſe the denunciations in the Old Teſtament againſt idolatry, imagined that they could not endeavour at ſuppreſſing them with too much zeal. No taſk could be more acceptable to the multitude, than to overturn thoſe ſeats of ſuperſtition; they ran with emulation to perform it, and happy was the man whoſe hand was moſt adventurous and ſucceſsful in executing a work deemed ſo pious. Nor did their leaders labour to reſtrain this impetuous ſpirit of reformation. Irregular and violent as its ſallies were, they tended directly to that end which they had in

view; for, by demolishing the monasteries throughout the kingdom, and setting at liberty their wretched inhabitants, they hoped to render it impossible ever to re-edify the one, or to re-assemble the other.

But, amidst these irregular proceedings, a circumstance which does honour to the conduct and humanity of the leaders of the congregation deserves notice. They so far restrained the rage of their followers, and were able so to temper their heat and zeal, that few of the Roman catholics were exposed to any personal insult, and not a single man suffered death†.

At the same time we discover, by the facility with which these great revolutions were effected, how violently the current of national favour ran towards the Reformation. No more than three hundred men marched out of Perth under the earl of Argyle and prior of St. Andrews‡. With this inconsiderable force they advanced; but, wherever they came, the people joined them in a body; their army was seldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and, without striking a single blow, they took possession of the capital of the kingdom.

This rapid and astonishing success seems to have encouraged the reformers to extend their views, and to rise in their demands. Not satisfied with their first claim of toleration for their religion, they now openly aimed at establishing the protestant doctrine on the ruins of popery. For this reason they determined to fix their residence at Edinburgh; and by their appointment Knox, and some other preachers, taking possession of the pulpits, which had been abandoned by the affrightened clergy, declaimed against the errors of popery with such fervent zeal as could not fail of gaining many proselytes.

In the mean time the queen, who had prudently given way to a torrent which she could not resist, observed with pleasure that it now began to subside. The leaders

† Lesly, ap. Jebb, vol. i. 231.
‡ Keith, 94.

of the congregation had been above two months in arms, and by the expences of a campaign, protracted ſo long beyond the uſual time of ſervice in that age, had exhauſted all the money which a country, where riches did not abound, had been able to ſupply. The multitude, dazzled with their ſucceſs, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was tranſacted at Edinburgh was ſoon known at Dunbar. And the queen, regulating her own conduct by the ſituation of her adverſaries, artfully amuſed them with the proſpect of an immediate accommodation; while, at the ſame time, ſhe by ſtudied delays ſpun out the negotiations for that purpoſe to ſuch a length, that, in the end, the party dwindled to an inconſiderable number; and, as if peace had been already re-eſtabliſhed, became careleſs of military diſcipline. The queen, who watched for ſuch an opportunity, advanced unexpectedly, by a ſudden march in the night with all her forces, and appearing before Edinburgh, filled that city with the utmoſt conſternation. The proteſtants weakened by the imprudent diſperſion of their followers, durſt not encounter the French troops in the open field; and were even unable to defend an ill-fortified town againſt their aſſaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own aſſociates. But the queen, in ſpite of all their reſiſtance, would have eaſily forced her way into the town, if the ſeaſonable concluſion of a truce had not procured her admiſſion without the effuſion of blood.

Their dangerous ſituation eaſily induced the leaders of the congregation to liſten to any overtures of peace; and as the queen was looking daily for the arrival of a ſtrong reinforcement from France, and expected great advantages from a ceſſation of arms, ſhe alſo agreed to it upon no unequal conditions. Together with a ſuſ-

penſion of hoſtilities, from the twenty-fourth of July to the tenth of January, it was ſtipulated in this treaty, that, on the one hand, the proteſtants ſhould throw open the gates the next day to the queen regent; remain in dutiful ſubjection to her government; abſtain from all future violation of religious houſes; and give no interruption to the eſtabliſhed clergy, either in the diſcharge of their functions, or in the enjoyment of their benefices. On the other hand, the queen agreed to give no moleſtation to the preachers or profeſſors of the proteſtant religion; to permit the inhabitants of Edinburgh, while the truce laſted, to enjoy the exerciſe of whatever religion appeared moſt congenial to the mind of every individual; and to allow the free and open profeſſion of the proteſtant ritual over all the kingdom*. The queen hoped to ſoothe the proteſtants by theſe liberal conceſſions in behalf of their religion, and expected, from indulging their favourite paſſion, to render them more compliant with reſpect to other articles, particularly the expulſion of the French troops out of Scotland. The anxiety which the queen expreſſed for retaining this body of men rendered them more and more the objects of national jealouſy and averſion. The immediate expulſion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the diſtreſs of the adverſe party, eluded the requeſt, and would conſent to nothing more than that a French garriſon ſhould not be introduced into Edinburgh.

The deſperate ſtate of their affairs impoſed on the congregation the neceſſity of agreeing to this article, which, however, was very far from giving them ſatisfaction. Whatever apprehenſions the Scots had conceived, from retaining the French forces in the kingdom, were abundantly juſtified during the late commotions. A ſmall body of thoſe troops, maintained in conſtant pay, and rendered formidable by regular diſcipline, had checked the progreſs of a martial people, though animated with zeal both for religion and liberty. The ſmalleſt

* Maitland, Hiſt. of Edin. 16.

addition to their number, and a conſiderable one was daily expected, might prove fatal to public liberty, and Scotland might be expoſed to the danger of being reduced from an independent kingdom to the mean condition of a province, annexed to the juriſdiction of its powerful ally.

In order to provide againſt this imminent calamity, the duke of Chatelherault and the earl of Huntly, immediately after concluding the truce, deſired an interview with the chiefs of the congregation. Theſe two noblemen, the moſt potent at that time in Scotland, were the leaders of the party which adhered to the eſtabliſhed church. They had followed the queen during the late commotions, and having acceſs to obſerve more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country, ſurmounted all other conſiderations, and determined them rather to endanger the religion which they profeſſed, than to give their aid towards the execution of her pernicious deſigns. They proceeded farther, and promiſed to Argyll, Glencairn, and the prior of St. Andrews, who were appointed to meet them, that if the queen ſhould, with her uſual inſincerity, violate any article in the treaty of truce, or refuſe to gratify the wiſhes of the whole nation, by diſmiſſing her French troops, they would then inſtantly join with their countrymen in compelling her to a meaſure, which the public ſafety, and the preſervation of their liberties, rendered neceſſary*.

About this time died Henry II. of France; juſt when he had adopted a ſyſtem with regard to the affairs of Scotland, which would, in all probability, have reſtored union and tranquillity to that kingdom†. Towards the cloſe of his reign, the princes of Lorrain began viſibly to decline in favour, and the conſtable Montmorency, by the aſſiſtance of the ducheſs of Valentinois, recovered that aſcendant over the ſpirit of his maſter, which his great experience, and his faithful, though often un-

* Knox, 154. † Melv. 49.

fortunate ſervices ſeemed juſtly to merit. That prudent miniſter imputed the inſurrection in Scotland wholly to the duke of Guiſe and the cardinal of Lorrain, whoſe violent and precipitant councils could not fail of tranſporting, beyond all bounds of moderation, men whoſe minds were poſſeſſed with that jealouſy which is inſeparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. And, in order to convince Henry that he did not load his rivals with any groundleſs accuſation, prevailed to have Melvil*, a Scottiſh gentleman of his retinue, diſpatched into his native country with inſtructions to obſerve the motions both of the regent and of her adverſaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's report.

Did hiſtory indulge herſelf in theſe ſpeculations, it would be amuſing to inquire what a different direction might have been given by this reſolution to the national ſpirit; and to what a different iſſue Melvil's report, which would have ſet the conduct of the malecontents in the moſt favourable light, might have conducted the public diſorders. Perhaps, by gentle treatment, and artful policy, the progreſs of the Reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining poſſeſſion of this avenue, the French might have made their way into England, and, under colour of ſupporting Mary's title to the crown, it is not improbable, they might not only have overturned all Elizabeth's ſchemes of encouraging the Reformation, but have re-eſtabliſhed the Roman catholic religion, and deſtroyed the liberties of that kingdom. But into this boundleſs field of fancy and conjecture the hiſtorian muſt make no excurſions; to relate real occurrences, and to explain their real cauſes and effects, is his peculiar and only province.

The tragical and untimely death of the French monarch put an end to all moderate and pacific meaſures with regard to Scotland. The duke of Guiſe, and the

* The author of the Memoirs.

cardinal his brother, upon the acceſſion of Francis II. a prince void of genius and without experience, aſſumed the chief direction of French affairs. Allied ſo nearly to the throne, by the marriage of their niece the queen of Scots with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain inactive in their hands. The ſame vaſt ſchemes of ambition, which they had planned out under the former reign, were again reſumed; and they were enabled, by poſſeſſing ſuch ample authority, to purſue them with more vigour and greater probability of ſucceſs. They beheld, with infinite regret, the progreſs of the proteſtant religion in Scotland; and, ſenſible what an unſurmountable obſtacle it would prove to their deſigns, they bent all their ſtrength to check its growth, before it roſe to any greater height. For this purpoſe they carried on their preparations with all poſſible expedition, and encouraged the queen their ſiſter to expect, in a ſhort time, the arrival of an army ſo powerful as the zeal of their adverſaries, however deſperate, would not venture to oppoſe.

Nor were the lords of the congregation either ignorant of thoſe violent counſels which prevailed in the court of France ſince the death of Henry, or careleſs of providing againſt the danger which threatened them from that quarter. The ſucceſs of their cauſe, as well as their perſonal ſafety, depending entirely on the unanimity and vigour of their own reſolutions, they endeavoured to guard againſt diviſion, and to cement together more cloſely, by entering into a ſtricter bond of confederacy and mutual defence. Two perſons concurred in this new aſſociation, who brought a great acceſſion both of reputation and of power to the party. Theſe were the duke of Chatelherault, and his eldeſt ſon the earl of Arran. This young nobleman, having reſided ſome years in France, where he commanded the Scottiſh guards, had imbibed the proteſtant opinions concerning religion. Hurried along by the heat of youth and the zeal of a proſelyte, he had uttered ſen-

timents with reſpect to the points in controverſy, which did not ſuit the temper of a bigotted court, intent at that juncture on the extinction of the proteſtant religion; in order to accompliſh which the greateſt exceſſes of violence were committed. The church was ſuffered to wreak its utmoſt fury upon all who were ſuſpected of hereſy. Courts were erected in different parts of France, to take cognizance of this crime, and by their ſentences ſeveral perſons of diſtinction were condemned to the flames.

But, in order to inſpire more univerſal terror, the princes of Lorrain reſolved to ſelect, for a ſacrifice, ſome perſon whoſe fall might convince all ranks of men that neither ſplendour of birth, nor eminence in ſtation, would exempt from puniſhment thoſe who ſhould be guilty of this unpardonable tranſgreſſion. The earl of Arran was the perſon deſtined to be the unhappy victim†. As he was allied to one throne, and the preſumptive heir to another; as he poſſeſſed the firſt rank in his own country, and enjoyed an honourable ſtation in France; his condemnation could not fail of making the deſired impreſſion on the whole kingdom. But the cardinal of Lorrain having let fall ſome expreſſions which raiſed Arran's ſuſpicions of the deſign, he eſcaped the intended blow by a timely flight. Indignation, zeal, reſentment, all prompted him to ſeek revenge upon theſe perſecutors of himſelf and of the religion which he profeſſed; and as he paſſed through England, on his return to his native country, Elizabeth, by hopes and promiſes, inflamed thoſe paſſions, and ſent him back into Scotland, animated with the ſame implacable averſion to France which poſſeſſed a great part of his countrymen. He quickly communicated theſe ſentiments to his father the duke of Chatelherault, who was already extremely diſguſted with the meaſures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every inſtance by thoſe about him, he now ſuffered himſelf to be drawn from the queen regent;

† Thuan. lib. xxiv. p. 462. edit. Francof.

and, having joined the congregation, was conſidered, from that time, as the head of the party.

But, with reſpect to him, this diſtinction was merely nominal. James Stewart, prior of St. Andrews, was the perſon who moved and actuated the whole body of the proteſtants, among whom he poſſeſſed that unbounded confidence which his ſtrenuous adherence to their intereſt and his great abilities ſo juſtly merited. He was the natural ſon of James V. by a daughter of lord Erſkine; and, as that amorous monarch had left ſeveral others a burden upon the crown, they were all deſtined for the church, where they could be placed in ſtations of dignity and affluence. In conſequence of this reſolution, the priory of St. Andrews had been conferred upon James: but, during ſo buſy a period, he ſoon became diſguſted with the indolence and retirement of a monaſtic life; and his enterpriſing genius called him forth to act a principal part on a more public and conſpicuous theatre. The ſcene in which he appeared required talents of different kinds: military virtue and political diſcernment, were equally neceſſary in order to render him illuſtrious. Theſe he poſſeſſed in an eminent degree. To the moſt unqueſtionable perſonal bravery, he added great ſkill in the art of war; and in every enterpriſe his arms were crowned with ſucceſs. His ſagacity and penetration in civil affairs enabled him, amidſt the reeling and turbulence of factions, to hold a proſperous courſe; while his boldneſs in defence of the Reformation, together with the decency, and even ſeverity, of his manners, ſecured him the reputation of being ſincerely attached to religion, without which it was impoſſible in that age to gain an aſcendant over mankind.

It was not without reaſon that the queen dreaded the enmity of a man ſo capable to obſtruct her deſigns. As ſhe could not, with her utmoſt addreſs, make the leaſt impreſſion on his fidelity to his aſſociates, ſhe endeavoured to leſſen his influence, and to ſcatter among them the ſeeds of jealouſy and diſtruſt, by inſinuating that the ambition of the prior aſpired beyond the con-

dition of a subject, and aimed at nothing else than the crown itself.

An accusation so improbable gained but little credit. Whatever thoughts of this kind the presumption of unexpected success, and his elevation to the highest dignity in the kingdom, may be alleged to have inspired at any subsequent period, it is certain that at this juncture he could form no such vast design. To dethrone a queen, who was lineal heir to an ancient race of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ, in defence of her rights, the forces of a kingdom much more powerful than her own; and to substitute in her place a person, whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private, was a project so chimerical as the most extravagant ambition would hardly entertain, and could never conceive to be practicable. The promise too, which the prior made to Melvil, of residing constantly in France, on condition the public grievances were redressed*; the confidence reposed in him by the duke of Chatelherault and his son, the presumptive heirs to the crown; and the concurrence of almost the whole Scottish nobles, in promoting the measures by which he gave offence to the French court; go far towards his vindication from those illegal and criminal designs, with the imputation of which the queen endeavoured at that time to load him.

The arrival of a thousand French soldiers compensated, in some degree, for the loss which the queen sustained by the defection of the duke of Chatelherault. These were immediately commanded to fortify Leith; in which place, on account of its commodious harbour, and its situation in the neighbourhood of Edinburgh, and in a plentiful country, the queen resolved to fix the head-quarters of her foreign forces. This unpopular measure, by the manner of executing it, was rendered

* Melvil, 54.

ſtill more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants; and taking poſſeſſion of the houſes, which they had obliged them to abandon, preſented to the view of the Scots two objects equally irritating and offenſive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners, ſettling with their wives and children in the heart of Scotland, growing into ſtrength by daily reinforcements, and openly preparing a yoke, to which, without ſome timely exertion of national ſpirit, the whole kingdom muſt of neceſſity ſubmit.

It was with the utmoſt concern that the lords of the congregation beheld this bold and deciſive ſtep taken by the queen regent; nor did they heſitate a moment whether they ſhould employ their whole ſtrength, in one generous effort, to reſcue their religion and liberty from impending deſtruction. But, in order to juſtify their own conduct, and to throw the blame entirely on their adverſaries, they reſolved to preſerve the appearances of decency and reſpect towards their ſuperiors, and to have no recourſe to arms without the moſt urgent and apparent neceſſity. They joined, with this view, in an addreſs to the regent, repreſenting, in the ſtrongeſt terms, their diſſatisfaction with the meaſures ſhe was purſuing, and beſeeching her to quiet the fears and jealouſies of the nation, by deſiſting from fortifying Leith. The queen, conſcious of her preſent advantageous ſituation, and elated with the hopes of freſh ſuccours, was in no diſpoſition for liſtening to demands utterly inconſiſtent with her views, and urged with that bold importunity which is ſo little acceptable to princes*

The ſuggeſtions of her French counſellors contributed, without doubt, to alienate her ſtill farther from any ſcheme of accommodation. As the queen was ready on all occaſions to diſcover an extraordinary deference

* Haynes, 211.

for the opinions of their countrymen, her brothers, who knew her ſecret diſapprobation of the violent meaſures they were driving on, took care to place near her ſuch perſons as betrayed her, by their inſinuations, into many actions, which her own unbiaſſed judgment would have highly condemned. As their ſucceſs in the preſent juncture, when all things were haſtening towards a criſis, depended entirely on the queen's firmneſs, the princes of Lorrain did not truſt wholly to the influence of their ordinary agents; but, in order to add the greater weight to their councils, they called in aid the miniſters of religion; and, by the authority of their ſacred character, they hoped effectually to recommend to their ſiſter that ſyſtem of ſeverity which they had eſpouſed†. With this view, but under the pretext of confounding the proteſtants by the ſkill of ſuch able maſters in controverſy, they appointed ſeveral French divines to reſide in Scotland. At the head of theſe, and with the character of legate from the pope, was Pelleve biſhop of Amiens, and afterwards archbiſhop and cardinal of Sens, a furious bigot, ſervilely devoted to the houſe of Guiſe, and a proper inſtrument for recommending or executing the moſt outrageous meaſures.

Amidſt the noiſe and danger of civil arms, theſe doctors had little opportunity to diſplay their addreſs in the uſe of their theological weapons. But they gave no ſmall offence to the nation by one of their actions. They perſuaded the queen to ſeize the church of St. Giles in Edinburgh, which had remained, ever ſince the late truce, in the hands of the proteſtants; and having, by a new and ſolemn conſecration, purified the fabric from the pollution with which they ſuppoſed the profane miniſtrations of the proteſtants to have defiled it, they, in direct contradiction to one article in the late treaty, reeſtabliſhed there the rites of the Romiſh church. This, added to the indifference, and even contempt, with which the queen received their remonſtrances, convinced the lords of the congregation, that it was not only vain

† Leſly, 215. Caſtlenau, ap. Jebb, vol. ii. 446, 473.

to expect any redreſs of their grievances at her hands, but abſolutely neceſſary to take arms in their own defence.

The eager and impetuous ſpirit of the nation, as well as every conſideration of good policy, prompted them to take this bold ſtep without delay. It was but a ſmall part of the French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing faſt, were ſtill far from being complete. Under theſe circumſtances of diſadvantage, they conceived it poſſible to ſurpriſe the queen's party, and, by one ſudden and deciſive blow, to prevent all future bloodſhed and contention. Full of theſe expectations, they advanced rapidly towards Edinburgh with a numerous army. But it was no eaſy matter to deceive an adverſary ſo vigilant and attentive as the queen regent. With her uſual ſagacity, ſhe both foreſaw the danger, and took the only proper courſe to avoid it. Inſtead of keeping the field againſt enemies ſuperior in number, and formidable on a day of battle by the ardour of their courage, ſhe retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfiniſhed as the fortifications of that town then were, ſhe did not dread the efforts of an army, provided neither with heavy cannon, nor with military ſtores, and utterly ignorant of the method of attacking any place fortified with more art than thoſe ancient towers erected all over the kingdom in defence of private property againſt the incurſions of banditti.

Nor did the queen mean while neglect to have recourſe to thoſe arts which ſhe had often employed to weaken or divide her adverſaries. By private ſolicitations and promiſes ſhe ſhook the fidelity, or abated the ardour, of ſome. By open reproach and accuſation ſhe blaſted the reputation, and diminiſhed the authority of others. Her emiſſaries were every where at work; and, notwithſtanding the zeal for religion and liberty which then animated the nation, they ſeem to have laboured not without ſucceſs. We find Knox, about this period, abounding in complaints of the lukewarm and languid

ſpirit which had begun to ſpread among his party*. But if their zeal ſlackened a little, and ſuffered a momentary intermiſſion, it ſoon blazed up with freſh vigour, and roſe to a greater height than ever.

The queen herſelf gave occaſion to this, by the reply which ſhe made to a new remonſtrance from the lords of the congregation. Upon their arrival at Edinburgh, they once more repreſented to her the dangers ariſing from the increaſe of the French troops, the fortifying of Leith, and her other meaſures, which they conceived to be deſtructive to the peace and liberty of the kingdom; and in this addreſs they ſpoke in a firmer tone, and avowed, more openly than ever, their reſolution of proceeding to the utmoſt extremities, in order to put a ſtop to ſuch dangerous encroachments. To a remonſtrance of this nature, and urged with ſo much boldneſs, the queen replied in terms no leſs vigorous and explicit. She pretended that ſhe was not accountable to the confederate lords for any part of her conduct; and upon no repreſentation of theirs would ſhe either abandon meaſures which ſhe deemed neceſſary, or diſmiſs forces which ſhe found uſeful, or demoliſh a fortification which might prove of advantage. At the ſame time ſhe required them, on pain of treaſon, to diſband the forces which they had aſſembled.

This haughty and imperious ſtyle ſounded harſhly to Scottiſh nobles, impatient, from their national character, of the ſlighteſt appearance of injury; accuſtomed even from their own monarchs to the moſt reſpectful treatment; and poſſeſſing, under an ariſtocratical form of government, ſuch a ſhare of power, as equalled, at all times, and often controlled that of the ſovereign. They were ſenſible, at once, of the indignity offered to themſelves, and alarmed with this plain declaration of the queen's intentions, and as there now remained but one ſtep to take, they wanted neither public ſpirit nor reſolution to take it.

But, that they might not ſeem to depart from the eſtabliſhed forms of the conſtitution, for which, even amidſt

* Knox, 180.

their moſt violent operations, men always retain the greateſt reverence, they aſſembled the whole peers, barons, and repreſentatives of boroughs, who adhered to their party. Theſe formed a convention, which exceeded in number, and equalled in dignity, the uſual meetings of parliament. The leaders of the congregation laid before them the declaration which the queen had given in anſwer to their remonſtrance; repreſented the unavoidable ruin which the meaſures ſhe therein avowed and juſtified would bring upon the kingdom; and requiring their direction with regard to the obedience due to an adminiſtration ſo unjuſt and oppreſſive, they ſubmitted to their deciſion a queſtion, one of the moſt delicate and intereſting that can poſſibly fall under the conſideration of ſubjects.

This aſſembly proceeded to decide with no leſs diſpatch than unanimity. Strangers to thoſe forms which protract buſineſs; unacquainted with the arts which make a figure in debate; and much more fitted for action than diſcourſe; a warlike people always haſten to a concluſion, and bring their deliberations to the ſhorteſt iſſue. It was the work but of one day, to examine and to reſolve this nice problem, concerning the behaviour of ſubjects towards a ruler who abuſes his power. But however abrupt their proceedings may appear, they were not deſtitute of ſolemnity. As the determination of the point in doubt was conceived to be no leſs the office of divines than of laymen, the former were called to aſſiſt with their opinion. Knox and Willox appeared for the whole order, and pronounced, without heſitation, both from the precepts and examples in ſcripture, that it was lawful for ſubjects not only to reſiſt tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an inſtrument for deſtroying thoſe whom the Almighty ordained them to protect. The deciſion of perſons revered ſo highly for their ſacred character, but more for their zeal and their piety, had great weight with the whole aſſembly. Not ſatisfied with the common indiſcriminate manner of ſignifying conſent, every perſon preſent was called in

his turn to declare his ſentiments, and riſing up in order, all gave their ſuffrages, without one diſſenting voice, for depriving the queen of the office of regent, which ſhe had exerciſed ſo much to the detriment of the kingdom*.

This extraordinary ſentence was owing no leſs to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are ſlightly mentioned; and the dangerous encroachments of the queen upon the civil conſtitution are produced, by the lords of the congregation, in order to prove their conduct to have been not only juſt but neceſſary. The introducing foreign troops into a kingdom at peace with all the world; the ſeizing and fortifying towns in different parts of the country; the promoting ſtrangers to offices of great power and dignity; the debaſing the current coin†; the ſubverting the ancient laws; the impoſing of new and burdenſome taxes; and the attempting to ſubdue the kingdom, and to oppreſs its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the ſtrongeſt light. On all theſe accounts the congregation maintained, that the nobles, as counſellors by birth-right to their monarchs, and the guardians and defenders of the conſtitution, had a right to interpoſe; and therefore, by virtue of this right, in the name of the king and queen, and with many expreſſions of duty and ſubmiſſion towards them, they deprived the queen regent of her office, and ordained that, for the fu-

* Knox, 184.

† The ſtandard of money in Scotland was continually varying. In the 16th of James V. A. D. 1529, a pound weight of gold, when coined, produced 10l. pounds of current money. But under the queen regent's adminiſtration, A. D. 1556, a pound weight of gold, although the quantity of alloy was conſiderably increaſed, produced 144l. current money. In 1529, a pound weight of ſilver, when coined, produced 9l. 2s.; but in 1556, it produced 13l. current money, Ruddiman, Præfat. ad Anderſ. Diplomat. Scotiæ, p. 80, 81, from which it appears, that this complaint, which the male-

ture, no obedience ſhould be given to her commands‡.

Violent as the action may appear, there wanted not principles in the conſtitution, nor precedents in the hiſtory of Scotland, to juſtify and to authoriſe it. Under the ariſtocratical form of government eſtabliſhed among the Scots, the power of the ſovereign was extremely limited. The more conſiderable nobles were themſelves petty princes, poſſeſſing extenſive juriſdictions, almoſt independent of the crown, and followed by numerous vaſſals, who, in every conteſt, eſpouſed their chieftain's quarrel, in oppoſition to the king. Hence the many inſtances of the impotence of regal authority which are to be found in the Scottiſh hiſtory. In every age, the nobles not only claimed, but exerciſed, the right of controlling the king. Jealous of their privileges, and ever eager to take the field in defence of them, every error in adminiſtration was obſerved, every encroachment upon the rights of the ariſtocracy excited indignation, and no prince ever ventured to tranſgreſs the boundaries which the law had preſcribed to prerogative, without meeting reſiſtance, which ſhook or overturned his throne. Encouraged by the ſpirit of the conſtitution, and countenanced by the example of their anceſtors, the lords of the congregation thought it incumbent on them, at this juncture, to inquire into the mal-adminiſtration of the queen regent, and to preſerve their country from being enſlaved or conquered, by depriving her of the power to execute ſuch a pernicious ſcheme.

The act of deprivation, and a letter from the lords of the congregation to the queen regent, are ſtill ex-

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contents often repeated, was not altogether deſtitute of foundation.

‡ M. Caſtlenau, after condemning the dangerous councils of the princes of Lorrain, with regard to the affairs of Scotland, acknowledges with his uſual candour, that the Scots declared war againſt the queen regent, rather from a deſire of vindicating their civil liberties, than from any motive of religion. Mem. 446.

tant †. They discover not only that masculine and undaunted spirit, natural to men capable of so bold a resolution, but are remarkable for a precision and vigour of expression, which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd; but the language of business is nearly the same at all times; and wherever men think clearly, and are thoroughly interested, they express themselves with perspicuity and force.

† Knox, 184.

THE

HISTORY

OF

SCOTLAND.

BOOK THIRD.

CONTENTS.

Situation of the Reformed. Their Repulſe at Leith. Apply to Elizabeth. Arrival of an Engliſh Fleet. Siege of Leith. Death of the Queen Dowager. A Treaty of Peace. A Parliament. Succeſsful Attacks on Popery. Death of Francis II. Eſtabliſhment of Preſbyterian Government. Cauſes of Diſcontent between Elizabeth and Mary. The Arrival of Mary in Scotland. State of the Kingdom. Extraordinary Progreſs of a Court of Juſtice. Poverty of the Proteſtant Clergy. Diſſenſions among the Nobles. Rebellion of Huntly. Battle of Corrichie. Propoſals for the Queen's Marriage. Darnly Rizzio. Convention of Nobles. Two Conſpiracies. The Queen's Marriage with Darnly. Flight of Murray and his Aſſociates. Perfidious Conduct of Elizabeth. Church Affairs.

THE lords of the congregation ſoon found that their zeal had engaged them in an undertaking which it was beyond their utmoſt ability to accompliſh. The French garriſon, deſpiſing their numerous but irregular forces, refuſed to ſurrender Leith, and to depart out of the kingdom; nor were they ſufficiently ſkilful in the art of war to reduce the place by force, or poſſeſſed of the artillery or magazines requiſite for that purpoſe; and their followers, though of undaunted courage, yet being accuſtomed to decide every quarrel by a battle, were ſtrangers to the fatigues of a long campaign, and ſoon became impatient of the ſevere and conſtant duty

which a ſiege requires. The queen's emiſſaries, who found it eaſy to mingle with her countrymen, were at the utmoſt pains to heighten their diſguſt, which diſcovered itſelf at firſt in murmurs and complaints, but, on occaſion of the want of money for paying the army, broke out into open mutiny. The moſt eminent leaders were hardly ſecure from the unbridled inſolence of the ſoldiers; while ſome of inferior rank, interpoſing too raſhly in order to quell them, were torn in pieces by their rage. Diſcord, conſternation, and perplexity, reigned in the camp of the reformers. The duke, their general, ſunk, with his uſual timidity, under the terror of approaching danger, and diſcovered manifeſt ſymptoms of repentance for his raſhneſs in eſpouſing ſuch a deſperate cauſe.

In this ſituation of their affairs, the congregation had recourſe to Elizabeth, from whoſe protection they could derive their only reaſonable hope of ſucceſs. Some of their more ſagacious leaders, having foreſeen that the party might probably be involved in great difficulties, had endeavoured to ſecure a reſource in any ſuch exigency, by entering into a ſecret correſpondence with the court of England*. Elizabeth, aware of the dangerous deſigns which the princes of Lorrain had formed againſt her crown, was early ſenſible of how much importance it would be, not only to check the progreſs of the French in Scotland, but to extend her own influence in that kingdom†; and perceiving how effectually the preſent inſurrections would contribute to retard or defeat the ſchemes formed againſt England, ſhe liſtened with pleaſure to theſe applications of the malecontents, and gave them private aſſurances of powerful ſupport to their cauſe. Randolph‡, an agent extremely proper for conducting any dark intrigue, was deſpatched into Scotland, and reſiding ſecretly among

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* Burn. Hiſt. Ref. 3. Append. 278. Keith, Append. 21.

† See Append. No. I. ‡ Keith, Append. 29.

the lords of the congregation, obſerved and quickened their motions. Money ſeemed to be the only thing they wanted at that time; and it was owing to a ſeaſonable remittance from England*, that the Scottiſh nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was diſtruſtful of the Scots, and ſtudious to preſerve appearances with France, her ſubſidies were beſtowed at firſt with extreme frugality. The ſubſiſtence of an army, and the expences of a ſiege, ſoon exhauſted this penurious ſupply, to which the lords of the congregation could make little addition from their own funds; and the ruin and diſperſion of the party muſt have inſtantly followed.

In order to prevent this, Cockburn, of Ormiſtoun, was ſent with the utmoſt expedition to the governors of the town and caſtle of Berwick. As Berwick was at that time the town of greateſt importance on the Scottiſh frontier, Sir Ralph Sadler and Sir James Crofts, perſons of conſiderable figure, were employed to command there, and were entruſted with a diſcretionary power of ſupplying the Scottiſh malecontents, according to the exigency of their affairs. From them Cockburn received four thouſand crowns, but little to the advantage of his party. The earl of Bothwell, by the queen's inſtigation, lay in wait for him on his return, diſperſed his followers, wounded him, and carried off the money.

This unexpected diſappointment proved fatal to the party. In mere deſpair, ſome of the more zealous attempted to aſſault Leith; but the French beat them back with diſgrace, ſeized their cannon, and purſuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confuſion which the proſpect of pillage or of maſſacre can excite in a place taken by ſtorm, filled the city on this occaſion. The inhabitants fled from the enemy by the oppoſite gate; the forces of the congregation were irreſolute and diſmayed; and the queen's partiſans in the

* Knox, 214. Keith, Append. 44.

town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was designed for Edinburgh. The lords of the congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing that could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A small body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the caution of the French, that any of the party escaped being cut in pieces.

On this second blow, the hopes and spirits of the congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a greater distance from the enemy. In vain did the prior of St Andrews, and a few others, oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight they set out from Edinburgh in great confusion, and marched without halting till they arrived at Stirling.

During this last insurrection, the great body of the Scottish nobles joined the congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and assisted her in defending Leith*. Bothwell openly favoured her cause,

* Keith, Append. 31.

but reſided at his own houſe. The earl of Huntly, conformable to the crafty policy which diſtinguiſhes his character, amuſed the leaders of the congregation, whom he had engaged to aſſiſt, with many fair promiſes, but never joined them with a ſingle man*. The earl of Morton, a member of the congregation, fluctuated in a ſtate of irreſolution, and did not act heartily for the common cauſe. Lord Erſkine, governor of Edinburgh caſtle, though a proteſtant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been entruſted by parliament with the command of the principal fortreſs in the kingdom, he reſolved that neither faction ſhould get it into their hands.

A few days before the retreat of the congregation, the queen ſuffered an irreparable loſs, by the defection of her principal ſecretary, William Maitland, of Lethington. His zeal for the reformed religion, together with his warm remonſtrances againſt the violent meaſures which the queen was carrying on, expoſed him ſo much to her reſentment, and to that of her French counſellors, that he, ſuſpecting his life to be in danger, withdrew ſecretly from Leith and fled to the lords of the congregation†; and they with open arms received a convert, whoſe abilities added both ſtrength and reputation to their cauſe. Maitland had early applied to public buſineſs admirable natural talents, improved by an acquaintance with the liberal arts; and at a time of life when his countrymen of the ſame quality were following the pleaſures of the chace, or ſerving as adventurers in the armies of France, he was admitted into all the ſecrets of the cabinet, and put upon a level with perſons of the moſt conſummate experience in the management of affairs. He poſſeſſed, in an eminent degree, that intrepid ſpirit which delights in purſuing bold deſigns, and was no leſs maſter of that political art and dexterity which is

* Keith, Append. 31. Knox, 222.
† Knox, 192.

neceſſary for carrying them on with ſucceſs. But theſe qualities were deeply tinctured with the neighbouring vices. His addreſs ſometimes degenerated into cunning; his acuteneſs bordered upon exceſs; his invention, over-fertile, ſuggeſted to him, on ſome occaſions, chimerical ſyſtems of policy, little ſuitable to the genius of the age, and his enterpriſing ſpirit engaged him in projects vaſt and ſplendid, but beyond his utmoſt power to execute. All the contemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greateſt ſuperiority of penetration and abilities.

The precipitate retreat of the congregation increaſed to ſuch a degree the terror and confuſion which had ſeized them at Edinburgh, that, before they reached Stirling, their army dwindled to an inconſiderable number. The ſpirit of Knox, however, ſtill remained undaunted and erect, and having mounted the pulpit, he addreſſed, to his deſponding hearers an exhortation which wonderfully animated and revived them. The heads of this diſcourſe are inſerted in his hiſtory †, and afford a ſtriking example of the boldneſs and freedom of reproof aſſumed by the firſt reformers, as well as a ſpecimen of his own ſkill in chooſing the topics moſt fitted to influence and rouſe his audience.

A meeting of the leaders being called, to conſider what courſe they ſhould hold, now that their own reſources were all exhauſted, and their deſtruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and reſolved to implore the aſſiſtance of Elizabeth towards finiſhing an enterpriſe, in which they had ſo fatally experienced their own weakneſs, and the ſtrength of their adverſaries. Maitland, as the moſt able negociator of the party was employed, in this embaſſy. In his abſence, and during the inactive ſeaſon of the year, it was agreed to diſmiſs their followers, worn out by the fatigues of

† Knox, 193.

a campaign which had ſo far exceeded the time of ſervice. But, in order to preſerve the counties moſt devoted to their intereſt, the prior of St. Andrews, with part of the leaders, retired into Fife. The duke of Chatelherault, with the reſt, fixed his reſidence at Hamilton. There was little need of Maitland's addreſs or eloquence to induce Elizabeth to take his country under her protection. She obſerved the prevalence of the French counſels, and the progreſs of their arms in Scotland, with great concern; and as ſhe well foreſaw the dangerous tendency of their ſchemes in that kingdom, ſhe had already come to a reſolution with regard to the part ſhe herſelf would act, if their power there ſhould grow ſtill more formidable.

In order to give the queen and her privy council a full and diſtinct view of any important matter which might come before them, it ſeems to have been the practice of Elizabeth's miniſters to prepare memorials, in which they clearly ſtated the point under deliberation, laid down the grounds of the conduct which they held to be moſt reaſonable, and propoſed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, ſtill remain, which were ſubmitted by the queen to the deliberation of her privy council; they are entitled, "A ſhort diſcuſſion of the weighty matter of Scotland," and do honour to the induſtry and penetration of that great miniſter. The motives which determined the queen to eſpouſe ſo warmly the defence of the congregation are repreſented with perſpicuity and force; and the conſequences of ſuffering the French to eſtabliſh themſelves in Scotland, are predicted with great accuracy and diſcernment*.

He lays it down as a principle, agreeable to the laws both of God and of nature, that every ſociety hath a right to defend itſelf, not only from preſent dangers, but from ſuch as may probably enſue, to which he adds; that nature and reaſon teach every prince to defend

* Burn. vol. iii. Append. 283. Keith, Append. 24.

himſelf by the ſame means which his adverſaries employ to diſtreſs him. Upon theſe grounds he eſtabliſhes the right of England to interpoſe in the affairs of Scotland, and to prevent the conqueſt of that kingdom, at which the French openly aimed. The French, he obſerves, are the ancient and implacable enemies of England. Hoſtilities had ſubſiſted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or ſincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by preſent neceſſity, would be negligently obſerved, and broken on the ſlighteſt pretences. In a very ſhort time France would recover its former opulence; and, though now drained of men and money by a tedious and unſucceſsful war, it would quickly be in a condition for acting, and the reſtleſs and martial genius of the people would render action neceſſary. The princes of Lorrain, who at that time had the entire direction of French affairs, were animated with the moſt virulent hatred againſt the Engliſh nation. They openly called in queſtion the legitimacy of the queen's birth, and by advancing the title and pretenſions of their niece the queen of Scotland, ſtudied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the Engliſh from the treaty of Chateau en Cambreſis, and endeavoured to conclude a ſeparate peace with Spain. They had perſuaded Henry II. to permit his daughter-in-law to aſſume the title and arms of queen of England; and even ſince the concluſion of the peace, they had ſolicited at Rome, and obtained a bull, declaring Elizabeth's birth to be illegitimate. Though the wiſdom and moderation of the Conſtable Montmorency had for ſome time checked their career, yet theſe reſtraints being now removed by the death of Henry II. and the diſgrace of his miniſter, the utmoſt exceſſes of violence were to be dreaded from their furious ambition, armed with ſovereign power. Scotland is the quarter whence they can attack England with moſt advantage. A war upon the borders of that

country expoſes France to no danger, but one unſucceſsful action there may hazard the crown, and overturn the government, of England. In political conduct, it is childiſh to wait till the deſigns of an enemy be ripe for execution. The Scottiſh nobles, after their utmoſt efforts, have been obliged to quit the field; and far from expelling the invaders of their liberties, they behold the French power daily increaſing, and muſt at laſt ceaſe from ſtruggling any longer in a conteſt ſo unequal. The invading of England will immediately follow the reduction of the Scottiſh malecontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expoſe it to the calamities of war, and the danger of conqueſt. Nothing therefore remained but to meet the enemy while yet at a diſtance from England, and by ſupporting the congregation with a powerful army, to render Scotland the theatre of the war, to cruſh the deſigns of the princes of Lorrain in their infancy, and, by ſuch an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the conſideration of an Engliſh monarch, wiſdom and mature counſel were neceſſary, in the firſt place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by loſing a ſingle moment, might become unavoidable *.

Theſe arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no leſs anxious to preſerve the tranquillity and happineſs of her ſubjects. From theſe motives ſhe had acted, in granting the congregation an early ſupply of money; and from the

* The arguments which the Scots employed, in order to obtain Elizabeth's aſſiſtance, are urged with great force in a paper of Maitland's. See Append. No. II.

ſame principles ſhe determined, in their preſent exigency, to afford them more effectual aid. One of Maitland's attendants was inſtantly deſpatched into Scotland with the ſtrongeſt aſſurances of her protection, and the lords of the congregation were deſired to ſend commiſſioners into England to conclude a treaty, and to ſettle the operations of the campaign with the duke of Norfolk†.

Mean while, the queen regent, from whom no motion of the congregation could long be concealed, dreaded the ſucceſs of this negotiation with the court of England, and foreſaw how little ſhe would be able to reſiſt the united efforts of the two kingdoms. For this reaſon ſhe determined, if poſſible, to get the ſtart of Elizabeth; and by venturing, notwithſtanding the inclemency of the winter ſeaſon, to attack the malecontents in their preſent diſperſed and helpleſs ſituation, ſhe hoped to put an end to the war before the arrival of their Engliſh allies.

A conſiderable body of her French forces, who were augmented about this time by the arrival of the Count de Martigues with a thouſand veteran foot and ſome cavalry, were commanded to march to Stirling. Having there croſſed the Forth, they proceeded along the coaſt of Fife, deſtroying and plundering, with exceſſive outrage, the houſes and lands of thoſe whom they deemed their enemies. Fife was the moſt populous and powerful county in the kingdom, and moſt devoted to the congregation, who had hitherto drawn from thence the moſt conſiderable ſupplies, both of men and proviſions; and therefore beſides puniſhing the diſaffection of the inhabitants, by pillaging the country, the French propoſed to ſeize and fortify St. Andrews, and to leave in it a garriſon ſufficient to bridle the mutinous ſpirit of the province, and to keep poſſeſſion of a port ſituated on the main ocean.

But on this occaſion, the prior of St. Andrews,

† Keith, 114.

lord Ruthven, Kirkaldy of Grange, and a few of the moſt active leaders of the congregation, performed, by their bravery and good conduct, a ſervice of the utmoſt importance to their party. Having aſſembled ſix hundred horſe, they infeſted the French with continual incurſions, beat up their quarters, intercepted their convoys of proviſions, cut off their ſtraggling parties, and ſo haraſſed them with perpetual alarms, that they prevented them for more than three weeks from advancing *.

At laſt the prior, with his feeble party, was conſtrained to retire, and the French ſet out from Kirkaldy, and began to move along the coaſt towards St. Andrews. They had advanced but a few miles, when, from an eminence, they deſcried a powerful fleet ſteering its courſe up the frith of Forth. As they knew that the marquis D'Elbeuf was at that time preparing to ſail to Scotland with a numerous army, they haſtily concluded that theſe ſhips belonged to him, and gave way to the moſt immoderate tranſports of joy, on the proſpect of this long-expected ſuccour. Their great guns were already fired to welcome their friends, and to ſpread the tidings and terror of their arrival among their enemies, when a ſmall boat from the oppoſite coaſt landed, and blaſted their premature and ſhort-lived triumph, by informing them, that it was the fleet of England which was in ſight, intended for the aid of the congregation, and was ſoon to be followed by a formidable land army †.

Throughout her whole reign Elizabeth was cautious, but deciſive; and by her promptitude in executing her reſolutions, joined to the deliberation with which ſhe formed them, her adminiſtration became remarkable, no leſs for its vigour, than for its wiſdom. No ſooner did ſhe determine to afford her protection to the lords of the congregation, than they experienced the activity, as well as the extent of her power. The ſeaſon of the year would not permit her land army to take the field;

* Knox, 202. † Ibid. 203.

but leſt the French ſhould, in the mean time, receive new reinforcements, ſhe inſtantly ordered a ſtrong ſquadron to cruize in the frith of Forth. She ſeems, by her inſtructions to Winter her admiral, to have been deſirous of preſerving the appearances of friendſhip towards the French *. But theſe were only appearances; if any French fleet ſhould attempt to land, he was commanded to prevent it, by every act of hoſtility and violence. It was the ſight of this ſquadron which occaſioned at firſt ſo much joy among the French, but which ſoon inſpired them with ſuch terror, as ſaved Fife from the effects of their vengeance. Apprehenſive of being cut off from their companions on the oppoſite ſhore, they retreated towards Stirling with the utmoſt precipitation, and in a dreadful ſeaſon, and through roads almoſt impaſſable, arrived at Leith, haraſſed and exhauſted with fatigue †.

The Engliſh fleet caſt anchor in the road of Leith, and continuing in that ſtation till the concluſion of peace, both prevented the garriſon of Leith from receiving ſuccours of any kind, and conſiderably facilitated the operations of their own forces by land.

Soon after the arrival of the Engliſh ſquadron, the commiſſioners of the congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth which was of ſo great advantage to the cauſe. To give a check to the dangerous and rapid progreſs of the French arms in Scotland, was the profeſſed deſign of the contracting parties. In order to this, the Scots engaged never to ſuffer any cloſer union of their country with France; and to defend themſelves to the uttermoſt againſt all attempts of conqueſt. And for their aſſiſtance Elizabeth promiſed to employ in Scotland a powerful army, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the Engliſh; whatever ſhould be taken from the enemy was either to be razed, or kept by the Scots, at their

* Keith, Append. 45. † Knox, 203.

choice; if any invaſion ſhould be made upon England, the Scots were obliged to aſſiſt Elizabeth with part of their forces; and to aſcertain their faithful obſervance of the treaty, they bound themſelves to deliver hoſtages to Elizabeth before the march of her army into Scotland; in concluſion, the Scots made many proteſtations of obedience and loyalty towards their own queen, in every thing not inconſiſtent with their religion, and the liberties of their country *.

The Engliſh army, conſiſting of ſix thouſand foot and two thouſand horſe, under the command of lord Gray of Wilton, entered Scotland early in the ſpring. The members of the congregation aſſembled from all parts of the kingdom to meet their new allies; and having joined them, with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field againſt an enemy ſo much ſuperior in number. A ſtrong body of troops, deſtined for their relief, had lately been ſcattered by a violent ſtorm, and had either periſhed on the coaſt of France, or with difficulty had recovered the ports of that kingdom †. But they hoped to be able to defend Leith till the princes of Lorrain ſhould make good the magnificent promiſes of aſſiſtance with which they daily fed them, or till ſcarcity of proviſions ſhould conſtrain the Engliſh to retire into their own country. In order to haſten this latter event, they did not neglect the uſual, though barbarous precaution, for diſtreſſing an invading enemy, by burning and laying waſte all the adjacent country ‡. The zeal, however, of the nation fruſtrated their intentions; eager to contribute towards removing their oppreſſors, the people produced their hidden ſtores to ſupport their friends; the neighbouring countries ſupplied every thing neceſſary; and far from wanting ſubſiſtence, the Engliſh found in their camp all ſorts of proviſions at

* Knox, 217. † Mem. de Caſtel. 450.
‡ Knox, 225.

a cheaper rate than had for ſome time been known in that part of the kingdom §.

On the approach of the Engliſh army, the queen regent retired into the caſtle of Edinburgh. Her health was now in a declining ſtate, and her mind broken and depreſſed by the misfortunes of her adminiſtration. To avoid the danger and fatigue of a ſiege, ſhe committed herſelf to the protection of lord Erſkine. This nobleman ſtill preſerved his neutrality, and by his integrity, and love of his country, merited equally the eſteem of both parties. He received the queen herſelf with the utmoſt honour and reſpect, but took care to admit no ſuch retinue as might endanger his command of the caſtle ‖.

A few days after they arrived in Scotland, the Engliſh inveſted Leith. The garriſon ſhut up within the town was almoſt half as numerous as the army which ſat down before it, and by an obſtinate defence protracted the ſiege to a great length. The circumſtances of this ſiege, related by contemporary hiſtorians, men without knowledge or experience in the art of war, are often obſcure and imperfect, and at this diſtance of time are not conſiderable enough to be entertaining.

At firſt the French endeavoured to keep poſſeſſion of the Hawk Hill, a riſing ground not far diſtant from the town, but were beat from it with great ſlaughter, chiefly by the furious attack of the Scottiſh cavalry. Within a few days the French had their full revenge; having ſallied out with a ſtrong body, they entered the Engliſh trenches, broke their troops, nailed part of their cannon, and killed at leaſt double the number themſelves had loſt in the former ſkirmiſh. Nor were the Engliſh more fortunate in an attempt which they made to take the place by aſſault; they were met with equal courage, and repulſed with conſiderable loſs. From the detail of theſe circumſtances by the writers of that age, it is eaſy to obſerve the different characters of the French

§ Knox, 225.

‖ Forbes's Collect. vol. i. 503. Keith, 122.

and Engliſh troops. The former, trained to war under the active reigns of Francis I. and Henry II. defended themſelves not only with the bravery but with the ſkill of veterans. The latter, who had been more accuſtomed to peace, ſtill preſerved the intrepid and deſperate valour peculiar to the nation, but diſcovered few marks of military genius, or of experience in the practice of war. Every misfortune or diſappointment during the ſiege muſt be imputed to manifeſt errors in conduct. The ſucceſs of the beſieged in their ſally was owing entirely to the ſecurity and negligence of the Engliſh; many of their officers were abſent; their ſoldiers had left their ſtations; and the trenches were almoſt without a guard. The ladders, which had been provided for the aſſault, wanted a great deal of the neceſſary length; and the troops employed in that ſervice were ill ſupported. The trenches were opened at firſt in an improper place; and as it was found expedient to change the ground, both time and labour were loſt. The weakneſs of their own generals, no leſs than the ſtrength of the French garriſon, rendered the progreſs of the Engliſh wonderfully ſlow. The length, however, of the ſiege, and the loſs of part of their magazines by an accidental fire, reduced the French to extreme diſtreſs, which the proſpect of relief made them bear with admirable fortitude.

While the hopes and courage of the French protracted the ſiege ſo far beyond expectation, the Scottiſh malecontents were not idle. By new aſſociations and confederacies, they laboured more perfectly to unite their party. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indiſſoluble. Among the ſubſcribers of theſe papers we find the earl of Huntly, and ſome others, who had not hitherto concurred with the congregation in any of their meaſures †. Several of theſe lords, particularly the earl of Huntly, ſtill adhered to the popiſh church; but, on this occaſion, neither their religious

† Burn. vol. iii. 287. Knox, 121.

ſentiments, nor their former cautious maxims, were regarded; the torrent of national reſentment and indignation againſt the French hurried them on ‡.

The queen regent, the inſtrument, rather than the cauſe, of involving Scotland in thoſe calamities under which it groaned at that time, died during the heat of the ſiege. No princeſs ever poſſeſſed qualities more capable of rendering her adminiſtration illuſtrious, or her people happy. Of much diſcernment, and no leſs addreſs; of great intrepidity, and equal prudence; gentle and humane, without weakneſs, zealous for her religion, without bigotry; a lover of juſtice, without rigour. One circumſtance, however, and that too the exceſs of a virtue, rather than any vice, poiſoned all theſe great qualities, and rendered her government unfortunate and her name odious. Devoted to the intereſt of France, her native country, and attached to the princes of Lorrain, her brothers, with moſt paſſionate fondneſs; ſhe departed, in order to gratify them, from every maxim which her own wiſdom or humanity would have approved. She outlived, in a great meaſure, that reputation and popularity which had ſmoothed her way to the higheſt ſtation in the kingdom; and many examples of falſehood, and ſome of ſeverity, in the latter part of her adminiſtration, totally alienated from her the affections of a people who had once placed in her an un-

‡ The dread of the French power did on many occaſions ſurmount the zeal which the catholic nobles had for their religion. Beſides the preſumptive evidence for this, ariſing from the memorial mentioned by Burnet, Hiſt. of the Reformation, vol. iii. 281. and publiſhed by him, p. 278; the inſtructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papiſts thought the alliance with England to be neceſſary for preſerving the liberty and independence of the kingdom. Keith, 158. Huntly himſelf began a correſpondence with Elizabeth's miniſters, before the march of the Engliſh army into Scotland. Haynes's State Papers, 261, 263. See Append. No. III.

bounded confidence. But even by her enemies theſe unjuſtifiable actions were imputed to the facility, not to the malignity, of her nature; and while they taxed her brothers and French counſellors with raſhneſs and cruelty, they ſtill allowed her the praiſe of prudence and lenity*. A few days before her death, ſhe deſired an interview with the prior of St. Andrews, the earl of Argyle, and other chiefs of the congregation. To them ſhe lamented the fatal iſſue of thoſe violent councils which ſhe had been obliged to follow; and, with the candour natural to a generous mind, confeſſed the errors of her own adminiſtration, and begged forgiveneſs of thoſe to whom they had been hurtful; but at the ſame time ſhe warned them, amidſt their ſtruggles for liberty and the ſhock of arms, not to loſe ſight of the loyalty and ſubjection which was due to their ſovereign †. The remainder of her time ſhe employed in religious meditations and exercifes. She even invited the attendance of Willox, one of the moſt eminent among the reformed preachers, liſtened to his inſtructions with reverence and attention ‡, and prepared for the approach of death with a decent fortitude.

Nothing could now ſave the French troops ſhut up in Leith, but the immediate concluſion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amuſed their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage; but at laſt, the ſituation of France, rather than the terror of the Engliſh arms, or the remonſtrances of the Scottiſh malecontents, conſtrained them, though with reluctance, to turn their thoughts towards pacific councils. The proteſtants in France were at that time a party formidable by their number, and more by the valour and enterpriſing genius of their leaders. Francis II. had treated them with extreme rigour, and diſcovered, by every ſtep he took, a ſettled reſolution to extirpate their reli-

* Buchan. 324. † Leſly, de Rebus Geſt. Scot. 222.
‡ Knox, 228.

gion, and to ruin thoſe who profeſſed it. At the proſpect of this danger to themſelves and to their cauſe, the proteſtants were alarmed, but not terrified. Animated with zeal, and inflamed with reſentment, they not only prepared for their own defence, but reſolved, by ſome bold action, to anticipate the ſchemes of their enemies; and, as the princes of Lorrain were eſteemed the authors of all the king's violent meaſures, they marked them out to be the firſt victims of their indignation. Hence, and not from any diſloyalty to the king, proceeded the famous conſpiracy of Amboiſe; and though the vigilance and good fortune of the princes of Lorrain diſcovered and diſappointed that deſign, it was eaſy to obſerve new ſtorms gathering in every province of the kingdom, and ready to burſt out with all the fury and outrage of civil war. In this ſituation, the ambition of the houſe of Lorrain was called off from the thoughts of foreign conqueſts, to defend the honour and dignity of the French crown, and inſtead of ſending new reinforcements into Scotland, it became neceſſary to withdraw the veteran troops already employed in that kingdom *.

In order to conduct an affair of ſo much importance and delicacy, the princes of Lorrain made choice of Monluc biſhop of Valence, and of the ſieur de Randan. As both theſe, eſpecially the former, were reckoned inferior to no perſons of that age in addreſs and political refinement, Elizabeth oppoſed to them ambaſſadors of equal abilities; Cecil her prime miniſter, a man perhaps of the greateſt capacity who had ever held that office; and Wotton dean of Canterbury, grown old in the art of negotiating under three ſucceſſive monarchs. The intereſts of the French and Engliſh courts were ſoon adjuſted by men of ſo great dexterity in buſineſs; and as France eaſily conſented to withdraw thoſe forces which had been the chief occaſion of the war, the other points in diſpute between that kingdom and England were not matters of tedious or of difficult diſcuſſion.

* Leſly, 224.

The grievances of the congregation, and their demands upon their own ſovereigns for redreſs, employed longer time, and required to be treated with a more delicate hand. After ſo many open attempts, carried on by command of the king and queen, in order to overturn the ancient conſtitution, and to ſuppreſs the religion which they had embraced, the Scottiſh nobles could not think themſelves ſecure, without fixing ſome new barrier againſt the future encroachments of regal power. But the legal ſteps towards accompliſhing this were not ſo obvious. The French ambaſſadors conſidered the entering into any treaty with ſubjects, and with rebels, as a condeſcenſion unſuitable to the dignity of a ſovereign; and their ſcruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not ſuggeſted an expedient, which ſeemed to provide for the ſecurity of the ſubject, without derogating from the honour of the prince. The Scottiſh nobles agreed, on this occaſion, to paſs from the point of right and privilege, and to accept the redreſs of their grievances as a matter of favour. Whatever additional ſecurity their anxiety for perſonal ſafety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And leſt conceſſions of this kind ſhould ſeem precarious, and liable to be retracted by the ſame power which had made them, the French ambaſſador agreed to inſert them in the treaty with Elizabeth, and thereby to bind the king and queen inviolably to obſerve them *.

In relating this tranſaction, contemporary hiſtorians have confounded the conceſſions of Francis and Mary to their Scottiſh ſubjects, with the treaty between France and England; the latter, beſides the ratification of former treaties between the two kingdoms, and ſtipulations with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the ſource of many important events, we ſhall often

* Keith, 134, &c.

have occaſion to refer. The right of Elizabeth to her crown is thereby acknowledged in the ſtrongeſt terms; and Francis and Mary ſolemnly engage neither to aſſume the title, nor to bear the arms of king and queen of England in any time to come†.

Honourable as this article was for Elizabeth herſelf, the conditions ſhe obtained for her allies the Scots were no leſs advantageous to them. Mouluc and Randan conſented, in the name of Francis and Mary, that the French forces in Scotland ſhould inſtantly be ſent back to their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and conſent of parliament; that the fortifications of Leith and Dunbar ſhould immediately be razed, and no new fort be erected without the permiſſion of parliament: that a parliament ſhould be held on the firſt day of Auguſt, and that aſſembly be deemed as valid in all reſpects as if it had been called by the expreſs commandment of the king and queen; that, conformable to the ancient laws and cuſtoms of the country, the king and queen ſhould not declare war or conclude peace without the concurrence of parliament; that during the queen's abſence, the adminiſtration of government ſhould be veſted in a council of twelve perſons, to be choſen out of twenty-four named by parliament, ſeven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen ſhould not advance foreigners to places of truſt or dignity in the kingdom, nor confer the offices of treaſurer or comptroller of the revenues, upon any eccleſiaſtic; that an act of oblivion, abolishing the guilt and memory of all offences committed ſince the ſixth of March one thouſand five hundred and fifty-eight, ſhould be paſſed in the enſuing parliament, and be ratified by the king and queen; that the king and queen ſhould not, under the colour of puniſhing any violation of their authority during that period, ſeek to deprive any of their ſubjects of the offices, benefices, or eſtates which they now held; that the re-

†Keith, 134.

dreſs due to churchmen, for the injuries which they had ſuſtained during the late inſurrections, ſhould be left entirely to the cognizance of parliament. With regard to religious controverſies, the ambaſſadors declared that they would not preſume to decide, but permitted the parliament, at their firſt meeting, to examine the points in difference, and to repreſent their ſenſe of them to the king and queen*.

To ſuch a memorable period did the lords of the congregation, by their courage and perſeverance, conduct an enterprize which at firſt promiſed a very different iſſue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more conſiderable kingdom. The whole ſovereign authority was transferred by this treaty into the hand of the congregation; that limited prerogative, which the crown had hitherto poſſeſſed, was almoſt entirely annihilated; and ariſtocratical power, which always predominated in the Scottiſh government, became ſupreme and incontrolable. By this treaty too the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminiſhed; and not only were the preſent encroachments of that ambitious ally reſtrained, but, by confederating with England, protection was provided againſt any future attempt from the ſame quarter. At the ſame time, the controverſies in religion being left to the conſideration of parliament, the proteſtants might reckon upon obtaining whatever deciſion was moſt favourable to the opinions which they profeſſed.

A few days after the concluſion of the treaty, both the French and Engliſh armies quitted Scotland.

The eyes of every man in that kingdom were turned towards the approaching parliament. A meeting, ſummoned in a manner ſo extraordinary, at ſuch a critical juncture, and to deliberate upon matters of ſo

* Keith, 137, &c.

much conſequence, was expected with the utmoſt anxiety.

A Scottiſh parliament, ſuitable to the ariſtocratical genius of the government, was properly an aſſembly of the nobles. It was compoſed of biſhops, abbots, barons, and a few commiſſioners of boroughs, who met all together in one houſe. The leſſer barons, though poſſeſſed of a right to be preſent, either in perſon or by their repreſentatives, ſeldom exerciſed it. The expence of attending, according to the faſhion of the times, with a numerous train of vaſſals and dependents; the inattention of the nation to the regular details of government; but above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of ſo little value, as to be almoſt neglected. It appears from the ancient rolls, that during times of tranquillity, few commiſſioners of boroughs, and almoſt none of the leſſer barons, appeared in parliament. The ordinary adminiſtration of government was abandoned, without ſcruple or jealouſy, to the king and to the nobles. But in extraordinary conjunctures, when the ſtruggle for liberty was violent, and the ſpirit of oppoſition to the crown roſe to an height, the burgeſſes and leſſer barons were rouſed from their inactivity, and ſtood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this obſervation* The public indignation againſt the raſh deſigns of that weak and ill-adviſed prince brought into parliament, beſides the nobles and prelates, a conſiderable number of the leſſer barons.

The ſame cauſes occaſioned the unuſual confluence of all orders of men to the parliament, which met on the firſt of Auguſt. The univerſal paſſion for liberty, civil and religious, which had ſeized the nation, ſuffered few perſons to remain unconcerned ſpectators of an aſſembly, whoſe acts were likely to prove deciſive with reſpect to both. From all corners of the kingdom

* Keith, 147.

flocked in men, eager and determined to aid, with their voices in the ſenate, the ſame cauſes which they had defended with their ſwords in the field. Beſides a full convention of peers, temporal and ſpiritual, there appeared the repreſentatives of almoſt all the boroughs, and above an hundred barons, who, though of the leſſer order, were gentlemen of the higheſt rank and fortune in the nation*.

The parliament was ready to enter on buſineſs with the utmoſt zeal, when a difficulty was ſtarted concerning the lawfulneſs of the meeting. No commiſſioner appeared in the name of the king and queen, and no ſignification of their conſent and approbation was yet received. Theſe were deemed by many eſſential to the very being of a parliament. But, in oppoſition to this ſentiment, the expreſs words of the treaty of Edinburgh were urged, by which this aſſembly was declared to be as valid, in all reſpects, as if it had been called and appointed by the expreſs command of the king and queen. As the adherents of the congregation greatly outnumbered their adverſaries, the latter opinion prevailed. Their boldeſt leaders, and thoſe of moſt approved zeal, were choſen to be lords of the articles, who formed a committee of ancient uſe, and of great importance in the Scottiſh parliament†. The deliberations of the lords of the articles were carried on with the moſt unanimous and active zeal. The act of oblivion, the nomination of twenty-four perſons, out of whom the council, intruſted with ſupreme authority, was to be elected; and every other thing preſcribed by the late treaty, or which ſeemed neceſſary to render it effectual, paſſed without diſpute or delay. The article

* Keith, 146.

† From an original letter of Hamilton, archbiſhop of St. Andrews, it appears, that the lords of articles were choſen in the manner afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spottiſwood ſeems to conſider this to have been the common practice. Hiſt. 149.

of religion employed longer time, and was attended with greater difficulty. It was brought into parliament by a petition from thoſe who adopted the principles of the Reformation. Many doctrines of the popiſh church were a contradiction to reaſon, and a diſgrace to religion; its diſcipline had become corrupt and oppreſſive; and its revenues were both exorbitant and ill-applied. Againſt all theſe, the proteſtants remonſtrated with the utmoſt aſperity of ſtyle, which indignation at their abſurdity, or experience of their pernicious tendency, could inſpire; and encouraged, by the number as well as zeal of their friends, to improve ſuch a favourable juncture, they aimed the blow at the whole fabric of popery; and beſought the parliament to interpoſe its authority for rectifying theſe multiplied abuſes†.

Several prelates, zealouſly attached to the ancient ſuperſtition, were preſent in this parliament. But during theſe vigorous proceedings of the proteſtants, they ſtood confounded and at a gaze; and perſevered in a ſilence which was fatal to their cauſe. They conſidered it impoſſible to reſiſt or divert that torrent of religious zeal, which was ſtill in its full ſtrength; they dreaded that their oppoſition would irritate their adverſaries, and excite them to new acts of violence: they hoped that the king and queen would ſoon be at leiſure to put a ſtop to the career of their inſolent ſubjects, and that, after the rage and havoc of the preſent ſtorm, the former tranquillity and order would be reſtored to the church and kingdom. They were willing, perhaps, to ſacrifice the doctrine, and even the power of the church, in order to enſure the ſafety of their own perſons, and to preſerve the poſſeſſion of thoſe revenues which were ſtill in their hands. From whatever motives they acted, their ſilence, which was imputed to the conſciouſneſs of a bad cauſe, afforded matter of great triumph to the proteſtants, and encouraged them to proceed with more boldneſs and alacrity*.

† Knox, 237. * Ib. 253.

The parliament did not think it enough to condemn thoſe doctrines mentioned in the petition of the proteſtants; they moreover gave the ſanction of their approbation to a Confeſſion of Faith, preſented to them by the reformed teachers*; and compoſed, as might be expected from ſuch a performance at that juncture, on purpoſe to expoſe the abſurd tenets and practices of the Romiſh church. By another act, the juriſdiction of the eccleſiaſtical courts was aboliſhed, and the cauſes which formerly came under their cognizance were transferred to the deciſion of civil judges†. By a third ſtatute, the exerciſe of religious worſhip, according to the rites of the Romiſh church, was prohibited. The manner in which the parliament enforced the obſervation of this law diſcovers the zeal of that aſſembly; the firſt tranſgreſſion ſubjected the offender to the forfeiture of his goods, and to a corporal puniſhment, at the diſcretion of the judge; baniſhment was the penalty of a ſecond violation of the law; and a third act of diſobedience was declared to be capital‡. Such ſtrangers were men at that time to the ſpirit of toleration, and to the laws of humanity; and with ſuch indecent haſte did the very perſons who had juſt eſcaped the rigour of eccleſiaſtical tyranny proceed to imitate thoſe examples of ſeverity of which they themſelves had ſo juſtly complained.

The vigorous zeal of the parliament overturned in a few days the ancient ſyſtem of religion which had been eſtabliſhed ſo many ages. In reforming the doctrine and diſcipline of the church, the nobles kept pace with the ardour and expectations even of Knox himſelf. But their proceedings, with reſpect to theſe, were not more rapid and impetuous, than they were ſlow and dilatory, when they entered on the conſideration of eccleſiaſtical revenues. Among the lay members, ſome were already enriched with the ſpoils of the church, and others devoured in expectation the wealthy benefices which ſtill remained untouched. The alteration

* Knox, 253. † Keith, 152. ‡ Knox, 254.

in religion had afforded many of the dignified eccleſiaſtics themſelves an opportunity of gratifying their avarice or ambition. The demolition of the monaſteries having ſet the monks at liberty from their confinement, they inſtantly diſperſed all over the kingdom, and commonly betook themſelves to ſome ſecular enjoyment. The abbot, if he had been ſo fortunate as to embrace the principles of the Reformation from conviction, or ſo cunning as to eſpouſe them out of policy, ſeized the whole revenues of the fraternity, and, except what he allowed for the ſubſiſtence of a few ſuperannuated monks*, applied them entirely to his own uſe. The propoſal made by the reformed teachers, for applying theſe revenues towards the maintenance of miniſters, the education of youth, and the ſupport of the poor, was equally dreaded by all theſe orders of men. They oppoſed it with the utmoſt warmth, and by their numbers and authority eaſily prevailed on the parliament to give no ear to ſuch a diſagreeable demand†. Zealous as the firſt reformers were, and animated with a ſpirit ſuperior to the low conſiderations of intereſt, they beheld theſe early ſymptoms of ſelfiſhneſs and avarice among their adherents with indignation; and we find Knox expreſſing the utmoſt ſenſibility of that contempt with which they were treated by many from whom he expected a more generous concern for the ſucceſs of religion and the honour of its miniſters‡.

A difficulty hath been ſtarted with regard to the acts of this parliament concerning religion. This difficulty, frivolous in itſelf, and at this diſtance of time of no importance, is founded on the words of the treaty of Edinburgh. By that, the parliament was permitted to take into review the ſtate of religion, and to ſignify their ſentiments of it to the king and queen. But, inſtead of preſenting their deſires to their ſovereigns in the humble form of a ſupplication or addreſs, the par-

* Keith, 496. Append. 190, 191.
† See Append. No. IV. ‡ Knox, 239, 256.

liament converted them into ſo many acts, which, although they never received the royal aſſent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the eſtabliſhed ſyſtem of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or ſupplied any defect in the form of theſe acts of parliament, and rendered the obſervance of them more univerſal than ever had been yielded to the ſtatutes of the moſt regular or conſtitutional aſſembly. By theſe proceedings it muſt, however, be confeſſed that the parliament, or rather the nation, violated the laſt article in the treaty of Edinburgh, and even exceeded the powers competent to ſubjects. But when once men have been accuſtomed to break through the common boundaries of ſubjection, and their minds are inflamed with the paſſions which civil war inſpires, it is mere pedantry or ignorance to meaſure their conduct by thoſe rules which can be applied only where government is in a ſtate of order and tranquillity. A nation, when obliged to employ ſuch extraordinary efforts in defence of its liberties, avails itſelf of every thing which can promote this great end; and the neceſſity of the caſe, and the importance of the object, juſtify any departure from the common and eſtabliſhed forms of the conſtitution.

In conſequence of the treaty of Edinburgh, as well as by the ordinary forms of buſineſs, it became neceſſary to lay the proceedings of parliament before the king and queen. For this purpoſe, ſir James Sandiland of Calder lord St. John was appointed to repair to the court of France. After holding a courſe ſo irregular, the leaders of the congregation had no reaſon to flatter themſelves that Francis and Mary would ever approve their conduct, or confirm it by their royal aſſent. The reception of their ambaſſador was no other than they might have expected. He was treated by the king and queen with the utmoſt coldneſs, and diſmiſſed without obtaining the ratification of the parliament's pro-

ceedings. From the princes of Lorrain, and their partisans, he endured all the scorn and insult which it was natural for them to pour upon the party he represented*.

Though the earls of Morton, Glencairn, and Maitland of Lethington, the ambassadors of the parliament to Elizabeth, their protectress, met with a very different reception, they were not more successful in one part of the negotiation entrusted to their care. The Scots, sensible of the security which they derived from their union with England, were desirous of rendering it indissoluble. With this view they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that seasonable and effectual aid which she had afforded them, and at the same time to beseech her to render the friendship between the nations perpetual, by condescending to marry the earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown.

To the former part of this commission Elizabeth listened with the utmost satisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices; with regard to the latter, she discovered those sentiments to which she adhered throughout her whole reign. Averse from marriage, as some maintain through choice, but more probably out of policy, that ambitious princess would never admit any partner to the throne; but delighted with the entire and uncontrolled exercise of power, she sacrificed to the enjoyment of that the hopes of transmitting her crown to her own posterity. The marriage with the earl of Arran could not be attended with any such extraordinary advantage as to shake this resolution; she declined it therefore, but with many expressions of good-will towards the Scottish nation, and of respect for Arran himself†.

* Knox, 255. Buch. 327.
† Burn. 3. Append. 308. Keith, 154, &c.

Towards the concluſion of this year, diſtinguiſhed by ſo many remarkable events, there happened one of great importance. On the fourth of December died Francis II. a prince of a feeble conſtitution, and of a mean underſtanding. As he did not leave any iſſue by the queen, no incident could have been more fortunate to thoſe who, during the late commotions in Scotland, had taken part with the congregation. Mary, by the charms of her beauty, had acquired an entire aſcendant over her huſband; and as ſhe transferred all her influence to her uncles, the princes of Lorrain, Francis followed them implicitly in whatever track they were pleaſed to lead him. The power of France, under ſuch direction, alarmed the Scottiſh malecontents with apprehenſions of danger, no leſs formidable than well founded. The inteſtine diſorders which raged in France, and the ſeaſonable interpoſition of England in behalf of the congregation, had hitherto prevented the princes of Lorrain from carrying their deſigns upon Scotland into execution. But under their vigorous and fortified adminiſtration, it was impoſſible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of theſe events, the Scots would ſtand expoſed to all the vengeance which the reſentment of the French court could inflict. The blow, however long ſuſpended, was unavoidable, and muſt fall at laſt with redoubled weight. From this proſpect and expectation of danger, the Scots were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and by this event the only bond of union which remained was diſſolved. Catherine of Medicis, who, during the minority of Charles IX. her ſecond ſon, engroſſed the entire direction of the French councils, was far from any thoughts of vindicating the Scottiſh queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and unexperienced prince; but as the charms of the wife

eaſily triumphed over the authority of the mother, Catherine could never forgive ſuch a diſappointment in her favourite paſſion, and beheld now, with ſecret pleaſure, the difficult and perplexing ſcene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the ſorrow which ſo ſad a reverſe of fortune could occaſion; ſlighted by the queen mother†; and forſaken by the tribe of courtiers, who appear only in the ſunſhine of proſperity, retired to Rheims, and there in ſolitude indulged her grief, or hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domeſtic objects; and, inſtead of forming vaſt projects with regard to Britain, they found it neceſſary to think of acquiring and eſtabliſhing an intereſt with the new adminiſtration.

It is impoſſible to deſcribe the emotions of joy which, on all theſe accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmneſs and ſtability to that ſyſtem of religion and government which was now introduced: and it is no wonder contemporary hiſtorians ſhould aſcribe it to the immediate care of Providence, which, by unforeſeen expedients, can ſecure the peace and happineſs of kingdoms, in thoſe ſituations where human prudence and invention would utterly deſpair ‡.

About this time the proteſtant church of Scotland began to aſſume a regular form. Its principles had obtained the ſanction of public authority, and ſome fixed external policy became neceſſary for the government and preſervation of the infant ſociety. The model introduced by the reformers differed extremely from that which had been long eſtabliſhed The motives which induced them to depart ſo far from the ancient ſyſtem deſerve to be explained.

As the vices of the clergy, had, at firſt, excited the

† Henault, 340. Caſteln. 454. ‡ Knox, 259.

indignation of mankind, and roused that spirit of inquiry, which proved fatal to the whole popish system; and, as this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition settled at last on the offices which they enjoyed; the effects of the Reformation would naturally have extended not only to the doctrine, but to the government in the popish church, and the same spirit which abolished the former would have overturned the latter. But, in Germany, England, and the northern kingdoms, its operations were checked by the power and policy of their princes; and the ancient episcopal jurisdiction, under a few limitations, was still continued in those churches. The episcopal hierarchy appears to be more conformable to the practice of the church, since Christianity became the established religion of the Roman empire. The ecclesiastical government was, at that time, plainly copied from the civil; the first not only borrowed its form, but derived its authority from the latter; and the dioceses and jurisdictions of patriarchs, archbishops, and bishops, corresponded with the division and constitution of the empire. In Switzerland, and the Low-countries, the nature of the government allowing full scope to the genius of the Reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. The situation of the primitive church suggested the idea, and furnished the model of the latter system, which has since been called *Presbyterian*. The first Christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the sense of danger, in extinguishing among them the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among the protestants of that age with incredible submission, was the patron and restorer of

this ſcheme of eccleſiaſtical policy. The church of Geneva, formed under his eye and by his direction, was deemed the moſt perfect model of this government; and Knox, who during his reſidence in that city, had ſtudied and admired it, warmly recommended it to the imitation of his countrymen.

Among the Scottiſh nobility, ſome hated the perſons, and others coveted the wealth of the dignified clergy; and by abolishing that order of men, the former indulged their reſentment, and the latter hoped to gratify their avarice. The people, inflamed with the moſt violent averſion to popery, and approving of every ſcheme that departed fartheſt from the practice of the Romiſh church, were delighted with a ſyſtem ſo admirably ſuited to their predominant paſſion: while the friends of civil liberty beheld with pleaſure the proteſtant clergy pulling down with their own hands that fabric of eccleſiaſtical power which their predeceſſors had reared with ſo much art and induſtry; and flattered themſelves, that by lending their aid to ſtrip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppreſſive juriſdiction. The new mode of government eaſily made its way among men thus prepared, by their various intereſts and paſſions, for its reception.

But, in the firſt introduction of his ſyſtem, Knox did not deem it expedient to depart altogether from the ancient form *. Inſtead of biſhops, he propoſed to eſtabliſh ten or twelve ſuperintendents in different parts of the kingdom. Theſe, as the name implies, were empowered to inſpect the life and doctrine of the other clergy. They preſided in the inferior judicatories of the church, and performed ſeveral other parts of the epiſcopal function. Their juriſdiction, however, extended to ſacred things only; they claimed no ſeat in parliament, and pretended no right to the dignity or revenues of the former biſhops.

The number of inferior clergy, to whom the care

* Spotſwood, 158.

of parochial duty could be committed, was ſtill extremely ſmall; they had embraced the principles of the Reformation at different times, and from various motives; during the public commotions, they were ſcattered, merely by chance, over the different provinces of the kingdom; and in a few places only were formed into regular claſſes or ſocieties. The firſt general aſſembly of the church, which was held this year, bears all the marks of an infant and unformed ſociety. The members were but few in number, and of no conſiderable rank; no uniform or conſiſtent rule ſeems to have been obſerved in electing them. From a great part of the kingdom no repreſentatives appeared. In the name of ſome entire counties, but one perſon was preſent; while in other places, a ſingle town or church ſent ſeveral members. A convention, ſo feeble and irregular, could poſſeſs no great authority; and conſcious of their own weakneſs, the members put an end to their debates, without venturing upon any deciſion of much importance†.

In order to give greater ſtrength and conſiſtence to the preſbyterian plan, Knox, with the aſſiſtance of his brethren, compoſed the firſt book of diſcipline, which contains the model or platform of the intended policy*. They preſented it to a convention of eſtates, which was held in the beginning of this year. Whatever regulations were propoſed with regard to eccleſiaſtical diſcipline and juriſdiction, would have eaſily obtained the ſanction of that aſſembly; but a deſign to recover the patrimony of the church, which is there inſinuated, met with a very different reception.

In vain did the clergy diſplay the advantages which would accrue to the public, by a proper application of eccleſiaſtical revenues. In vain did they propoſe, by an impartial diſtribution of this fund, to promote true religion, to encourage learning, and to ſupport the poor. In vain did they even intermingle threatenings of the divine diſpleaſure againſt the unjuſt detainers of

† Keith, 498. * Spotſ. 152.

what was appropriated to a ſacred uſe. The nobles held faſt the prey which they had ſeized; and beſtowing upon the propoſal the name of a *devout imagination*, they affected to conſider it altogether as a project altogether viſionary, and treated it with the utmoſt ſcorn †.

This convention appointed the prior of St. Andrews to repair to the queen, and to invite her to return into her native country, and to aſſume the reins of government, which had been too long committed to other hands. And though ſome of her ſubjects dreaded her return, and others foreſaw the dangerous conſequences with which it might be attended, the bulk of them deſired it with ſo much ardour, that the invitation was given with the greateſt appearance of unanimity. But the zeal of the Roman catholics got the ſtart of the prior in paying court to Mary; and Leſlie afterwards biſhop of Roſs, who was commiſſioned by them, arrived before him at the place of her reſidence. Leſly endeavoured to infuſe into the queen's mind ſuſpicions of her proteſtant ſubjects, and to perſuade her to throw herſelf entirely into the arms of thoſe who adhered to her own religion. For this purpoſe, he inſiſted that ſhe ſhould land at Aberdeen; and as the proteſtant doctrines had made no conſiderable progreſs in that part of the kingdom, he gave her aſſurance of being joined in a few days by twenty thouſand men; and flattered her, that with ſuch an army, encouraged by her preſence and authority, ſhe might eaſily overturn the reformed church, before it was firmly ſettled on its foundations.

But at this juncture the princes of Lorrain were not diſpoſed to liſten to this extravagant and dangerous propoſal. Intent on defending themſelves againſt Catherine of Medicis, whoſe inſidious policy was employed in undermining their exorbitant power, they had no leiſure to attend to the affairs of Scotland, and wiſhed their niece to take poſſeſſion of her kingdom with as

† See Append. No. V.

little diſturbance as poſſible. The French officers too, who had ſerved in Scotland, diſſuaded Mary from all violent meaſures; and by repreſenting the power and number of the proteſtants to be irreſiſtible, determined her to court them by every art; and rather to employ the leading men of that party as her miniſters, than to provoke them by a fruitleſs oppoſition to become her enemies *. Hence proceeded the confidence and affection with which the prior of St. Andrews was received by the queen. His repreſentation of the ſtate of the kingdom gained great credit; and Leſly beheld with regret the new channel in which court favour was likely to run.

Another convention of eſtates was held in May. The arrival of an ambaſſador from France ſeems to have been the occaſion of this meeting. He was inſtructed to ſolicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to reſtore the popiſh eccleſiaſtics to the poſſeſſion of their revenues and the exerciſe of their functions. It is no eaſy matter to form any conjecture concerning the intentions of the French court in making theſe extraordinary and ill-timed propoſitions. They were rejected with that ſcorn which might well have been expected from the temper of the nation †.

In this convention the proteſtant clergy did not obtain a more favourable audience than formerly, and their proſpect of recovering the patrimony of the church ſtill remained as diſtant and uncertain as ever. But, with regard to another point, they found the zeal of the nobles in no degree abated. The book of diſcipline ſeemed to require that the monuments of popery, which ſtill remained in the kingdom, ſhould be demoliſhed ¶; and, though neither the ſame pretence of policy, nor the ſame ungovernable rage of the people, remained to juſtify or excuſe this barbarous havoc, the convention, conſidering every religious fabric as a

* Melv. 61.

† Knox, 269, 273. ¶ Spotſwood, 153.

relic of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for the activity of their zeal were appointed to put it in execution. Abbies, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The first storm of popular insurrection, though impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence*.

In the mean time, Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaiety of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasions of her uncles, but above all, the studied and mortifying neglect with which she was treated by the queen mother, forced her to think of beginning this disagreeable voyage†. But while she was preparing for it, there were sown between her and Elizabeth the seeds of that personal jealousy and discord, which embittered the life and shortened the days of the Scottish queen.

The ratification of the late treaty of Edinburgh was the immediate occasion of this fatal animosity; the true cause of it lay much deeper. Almost every article in that treaty had been executed by both parties with a scrupulous exactness. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malecontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary

* Spotswood, 174.
† Brantome, Jebb, vol. ii. 482.

could have little reaſon to decline, or Elizabeth to urge, the ratification of the treaty.

The ſixth article remained the only ſource of conteſt and difficulty. No miniſter ever entered more deeply into the ſchemes of his ſovereign, or purſued them with more dexterity and ſucceſs than Cecil. In the conduct of the negotiation at Edinburgh, the ſound underſtanding of this able politician had proved greatly an overmatch for Monluc's refinements in intrigue, and had artfully induced the French ambaſſadors not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but alſo to promiſe that in all times to come Mary ſhould abſtain from uſing the titles, or bearing the arms, of thoſe kingdoms.

The ratification of this article would have been of the moſt fatal conſequence to Mary. The crown of England was an object worthy of her ambition. Her pretenſions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was eſteemed preferable to that of Elizabeth. Among the Engliſh themſelves, the Roman catholics, who formed at that time a numerous and active party, openly eſpouſed this opinion; and even the proteſtants, who ſupported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herſelf of all theſe advantages could not, in the courſe of things, be far diſtant, and many incidents might fall in to bring this opportunity nearer than was expected. In theſe circumſtances, Mary, by ratifying the article in diſpute, would have loſt that rank which ſhe had hitherto held among neighbouring princes; the zeal of her adherents muſt have gradually cooled; and ſhe might have renounced, from that moment, all hopes of ever wearing the Engliſh crown*.

None of theſe beneficial conſequences eſcaped the penetrating eye of Elizabeth, who, for this reaſon,

* Haynes, 373, &c.

had recourſe to every thing by which ſhe could hope either to ſoothe or frighten the Scottiſh queen into a compliance with her demands; and if that princeſs had been ſo unadviſed as to ratify the raſh conceſſions of her ambaſſadors, Elizabeth, by that deed, would have acquired an advantage, which, under her management, muſt have turned to great account. By ſuch a renunciation, the queſtion with regard to the right of ſucceſſion would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, ſhe might have broken in upon the order of lineal ſucceſſion, and transferred the crown to ſome other deſcendant of the royal blood. The former conduct ſhe obſerved towards James VI. whom, during his whole reign, ſhe held in perpetual fear and ſubjection. The latter and more rigorous method of proceeding would, in all probability, have been employed againſt Mary, whom, for many reaſons, ſhe both envied and hated.

Nor was this ſtep beyond her power, unprecedented in the hiſtory, or inconſiſtent with the conſtitution, of England. Though ſucceſſion by hereditary right be an idea ſo natural and ſo popular, that it has been eſtabliſhed in almoſt every civilized nation, yet England affords many memorable inſtances of deviations from that rule. The crown of that kingdom having once been ſeized by the hand of a conqueror, thus invited the bold and enterpriſing in every age to imitate ſuch an illuſtrious example of fortunate ambition. From the time of William the I. the regular courſe of deſcent had ſeldom continued through three ſucceſſive reigns. Thoſe princes, whoſe intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal conſideration. That great aſſembly claimed and actually poſſeſſed a power of altering the order of regal ſucceſſion; and even ſo late as Henry VIII. an act of parliament had authoriſed that capricious monarch to

ſettle the order of ſucceſſion at his pleaſure. The Engliſh, jealous of their religious liberty, and averſe from the dominion of ſtrangers, would have eagerly adopted the paſſions of their ſovereign, and might have been eaſily induced to exclude the Scottiſh line from the right of ſucceeding to the crown. Theſe ſeem to have been the views of both queens, and thoſe were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the ſources of their diſcord were to be traced no higher than this treaty, an inconſiderable alteration in the words of it might have brought the preſent queſtion to an amicable iſſue. The indefinite and ambiguous expreſſion which Cecil had inſerted into the treaty, might have been changed into one more limited but more preciſe; and Mary, inſtead of promiſing to abſtain from bearing the title of queen of England, in all times to come, might have engaged not to aſſume that title during the life of Elizabeth, or the lives of her lawful poſterity *.

* An event ſo important, as a reconcilement between Elizabeth and Mary, could not eſcape the penetrating eye of Cecil. In a letter to Throkmorton, dated July 14, 1561, he thus energetically delivers himſelf: "There hath been a matter ſecretly thought of, which I dare communicate to you, although I mean never to be an author thereof; and that is, if an accord might be made betwixt our miſtreſs and the Scottiſh queen, that this ſhould by parliament in Scotland, &c. ſurrender unto the queen's majeſty all matter of claim, and unto the heirs of her body; and in conſideration thereof, the Scottiſh queen's intereſt ſhould be acknowledged in default of heirs of the body of the queen's majeſty. Well, God ſend our miſtreſs a huſband, and by time a ſon, that we may hope our poſterity ſhall have a maſculine ſucceſſion. This matter is too big for weak folks, and too deep for ſimple. The queen's majeſty knoweth of it." Hardw. State Pap. i. 174 Whatever concerned the ſucceſſion, Elizabeth always regarded it with a jealous

This amendment, however, did not ſuit the views of either queen. Though Mary had been obliged to ſuſpend for ſome time the proſecution of her title to the Engliſh crown, ſhe had not however relinquiſhed it. She determined to revive her claim on the firſt proſpect of ſucceſs, and was unwilling to bind herſelf by a poſitive engagement, not to take advantage of any ſuch fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recogniſed the right of her rival to aſcend the throne after her deceaſe. But neither the Scottiſh nor Engliſh queen durſt avow theſe ſecret ſentiments of their hearts. Any open diſcovery of an inclination to diſturb the tranquility of England, or to wreſt the ſceptre out of Elizabeth's hands, might have proved fatal to Mary. Any ſuſpicion of a deſign to alter the order of ſucceſſion, and to ſet aſide the claim of the Scottiſh queen, would have expoſed Elizabeth to much and deſerved cenſure, and have raiſed up againſt her many and dangerous enemies. Theſe, however carefully concealed or artfully diſguiſed, were, in all probability, the real motives which determined the one queen to ſolicit, and the other to refuſe, the ratification of the treaty in its original form; while neither had recourſe to that explication of it, which to an heart unwarped by political intereſt, and ſincerely deſirous of union and concord, would have appeared ſo obvious and natural.

But though conſiderations of intereſt firſt occaſioned this rupture between the Britiſh queens, rivalſhip of another kind contributed to widen the breach, and female jealouſy increaſed the violence of their political hatred.

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eye; and the moſt confidential of her miniſters acted with the greateſt precaution whenever that ſubject was diſcuſſed. Even Cecil, who was her chief adviſer in intricate buſineſs, ſpeaking of the ſucceſſion in caſe of Elizabeth dying without iſſue, thus expreſſes himſelf: "'This ſong hath many parts; but, for my part, I have no ſkill but in plain ſong.' Ibid. 178.

Elizabeth, with all thoſe extraordinary qualities by which ſhe equalled or ſurpaſſed ſuch of her ſex as have merited the greateſt renown, diſcovered an admiration of her own perſon, to a degree which women of ordinary underſtandings either do not entertain, or prudently endeavour to conceal. Her attention to dreſs, her ſolicitude to diſplay her charms, her love of flattery, were all exceſſive. Nor were theſe weakneſſes confined to that period of life when they are more pardonable. Even in very advanced years, the wiſeſt women of that, or perhaps of any other age, wore the garb, and affected the manners of a girl†. Though Elizabeth was as much inferior to Mary in beauty and gracefulneſs of perſon, as ſhe excelled her in political abilities and in the arts of government, ſhe was weak enough to compare herſelf with the Scottiſh queen†; and as it was impoſſible ſhe could be altogether ignorant how much Mary gained by the compariſon, ſhe envied and hated her as a rival by whom ſhe was eclipſed. In judging of the conduct of princes, we are apt to aſcribe too much to political motives, and too little to the paſſions which they feel in common with the reſt of mankind. In order to account for Elizabeth's preſent, as well as her ſubſequent conduct towards Mary, we muſt not always conſider her as a queen, we muſt ſometimes regard her merely as a woman.

Elizabeth, though no ſtranger to Mary's difficulties with reſpect to the treaty, continued to urge her, by repeated applications, to ratify it*. Mary, under various pretences, ſtill contrived to gain time, and to elude the requeſt. But while the one queen ſolicited with perſevering importunity, and the other evaded with artful delay, they both ſtudied an extreme politeneſs of behaviour, and loaded each other with profeſſions of ſiſterly

† Johnſton Hiſt. Rer. Britan. 346, 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, article *Eſſex*.

† Melvil, 98. * Keith, 157, 160, &c.

love, with reciprocal declarations of unchangeable eſteem and amity.

It was not long before Mary was convinced, that among princes theſe expreſſions of friendſhip are commonly far diſtant from the heart. In ſailing from France to Scotland, the courſe lies along the Engliſh coaſt. In order to be ſafe from the inſults of the Engliſh fleet, or, in caſe of tempeſtuous weather, to ſecure a retreat in the harbours of that kingdom, Mary ſent M. D'Oyſel to demand of Elizabeth a ſafe conduct during her voyage. This requeſt, which decency alone obliged one prince to grant to another, Elizabeth rejected, in ſuch a manner as gave riſe to no ſlight ſuſpicion of a deſign, either to obſtruct the paſſage, or to intercept the perſon of the Scottiſh queen†.

Mary, ſtruck with indignation at this ambiguous conduct of Elizabeth, immediately remonſtrated to Throkmorton the Engliſh ambaſſador, upon ſuch ungenerous uſage. In this conference, Mary exerted all that dignity and vigour of mind of which ſhe was ſo capable, and at no period of her life were her abilities diſplayed to greater advantage. She was then in her eighteenth year; and as Throkmorton's obſervations on what paſſed were directed immediately to Elizabeth, it is evidently clear, that crafty counſellor would not diſplay the abilities of the Scottiſh queen in a ſtyle too favourable.

This ungenerous uſage, however, did not intimidate Mary from proſecuting her intended voyage. She was accompanied to Calais, the place where ſhe embarked, in a manner ſuitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain her uncles, with many of the moſt eminent among the French nobles, were in her retinue. Catherine, who ſecretly rejoiced at her departure, graced it with every circumſtance of magnificence and reſpect. After bidding adieu to her mourning attendants, with a ſad heart, and eyes bathed in tears, Mary left that kingdom, the ſhort but only ſcene of her life in which fortune ſmiled upon her.

† Keith, 171. Camden. See Appendix, No. VI.

While the French coaſt continued in ſight, ſhe intently gazed upon it, and muſing, in a thoughtful poſture, on that height of fortune whence ſhe had fallen, and preſaging, perhaps, the diſaſters and calamities which embittered the remainder of her days, ſhe ſighed often, and cried out, "Farewel France! Farewel beloved country, which I ſhall never more behold!" Even when the darkneſs of the night had hid the land from her view, ſhe would neither retire to the cabin, nor taſte food, but commanding a couch to be placed on the deck, ſhe there waited the return of day with the utmoſt impatience. Fortune ſoothed her on this occaſion, the galley made little way during the night. In the morning, the coaſt of France was ſtill within ſight, and ſhe continued to feed her melancholy with the proſpect; and as long as her eyes could diſtinguiſh it, to utter the ſame tender expreſſions of regret *. At laſt a briſk gale aroſe by the favour of which for ſome days, and afterwards under the cover of a thick fog, Mary eſcaped the Engliſh fleet, which lay in wait to intercept her†; and on the nineteenth of Auguſt, after an abſence of near

* Brantome, 483. He himſelf was in the ſame galley with the queen.

† This was undoubtedly the opinions of the times. Camden declares that the lord James, in his return from France, adviſed Elizabeth, for the intereſt of religion, and her own ſecurity, to ſeize Mary in her way to Scotland; Camden 67. Maitland of Lethington, a man of great influence in Scotland, and cloſely attached to James, recommended alſo the ſame ſtep; ibid. This is ſtrongly ſupported by Lethington's own words; Keith, Append. p. 92. Hence there is no doubt that Elizabeth ſent a large ſquadron of ſhips to intercept Mary, as is plainly alluded to in a ſpeech delivered by the lord keeper Bacon ſome time after in the privy council: And the after conduct of queen Elizabeth and of the lord James leaves not a ſhadow of doubt that they were capable of planning ſuch a deſign.

thirteen years, landed safely at Leith in her native kingdom.

Mary was received by her subjects with shouts and acclamations of joy, and with every demonstration of welcome and regard. But as her arrival was unexpected, and no suitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The queen, accustomed from her infancy to the utmost splendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her situation, and seemed to be deeply affected with it[†].

Never did a prince ascend the throne at a juncture which called for more wisdom in council, or more courage and steadiness in action. The rage of religious controversy was still unabated. The memory of past oppression exasperated the protestants; the smart of recent injuries rendered the papists desperate; both were zealous, fierce, and irreconcileable. The absence of their sovereign had accustomed the nobles to independency; and during the late commotions they had acquired such an increase of wealth, as threw great weight into the scale of the aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for the last two years, without a regent, without a supreme council, without the power or even the form, of a regular government[*]. A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, of enemies become confederates, had grown into confidence with the nation, and gained an ascendant over all its councils. The Scottish monarchs did not derive more splendour

† Brant. 484. * Keith, Appendix, 92.

or power from the friendſhip of the former, than they had reaſon to dread injury and diminution from the interpoſition of the latter. Every conſideration, whether of intereſt or of ſelf-preſervation, obliged Elizabeth to depreſs the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the ſpirit of diſſatisfaction among the people.

In this poſture were the affairs of Scotland, when the adminiſtration fell into the hands of a young queen, not nineteen years of age, unacquainted with the manners and laws of her country, a ſtranger to her ſubjects, without experience, without allies, and almoſt without a friend.

On the other hand, in Mary's ſituation we find ſome circumſtances, which though they did not balance theſe diſadvantages, contributed however to alleviate them, and, with ſkilful management, might have produced great effects. Her ſubjects, unaccuſtomed ſo long to the reſidence of their prince, were not only dazzled by the novelty and ſplendour of the royal preſence, but inſpired with awe and reverence. Beſides the places of power and profit beſtowed by the favour of a prince, his protection, his familiarity, and even his ſmiles, confer honour, and win the hearts of men. From all corners of the kingdom, the nobles crowded to teſtify their duty and affection to their ſovereign, and ſtudied by every art to wipe out the memory of paſt miſconduct, and to lay in a ſtock of future merit. The amuſements and gaiety of her court, which was filled with the moſt accompliſhed of the French nobility, who had attended her, began to ſoften and to poliſh the rude manners of the nation. Mary herſelf poſſeſſed many of thoſe qualifications which raiſe affection and procure eſteem. The beauty and gracefulneſs of her perſon drew univerſal admiration, the elegance and politeneſs of her manners commanded general reſpect. To all the charms of her own ſex, ſhe added many of the accompliſhments of the other. The progreſs ſhe had made in all the arts and ſciences, which were then deemed neceſſary or ornamental, was far beyond what

is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without leſſening the dignity of a prince, ſteals on the hearts of ſubjects with a bewitching inſinuation.

From theſe circumſtances, notwithſtanding the threatening aſpect of affairs at Mary's return into Scotland, notwithſtanding the clouds which gathered on every hand, a political obſerver would have predicted a very different iſſue of her reign; and whatever ſudden guſts of faction he might have expected, he would never have dreaded the deſtructive violence of that ſtorm which followed.

While all parties were contending who ſhould diſcover the moſt dutiful attachment to the queen, the zealous and impatient ſpirit of the age broke out in a remarkable inſtance. On the Sunday after her arrival, the queen commanded maſs to be celebrated in the chapel of her palace. The firſt rumour of this occaſioned a ſecret murmuring among the proteſtants who attended the court; complaints and threatenings ſoon followed; the ſervants belonging to the chapel were inſulted and abuſed; and, if the prior of St. Andrews had not ſeaſonably interpoſed, the rioters might have proceeded to the utmoſt exceſſes†.

It is impoſſible, at this diſtance of time, and under circumſtances ſo very different, to conceive the violence of that zeal againſt popery which then poſſeſſed the nation. Every inſtance of condeſcenſion to the papiſts was eſteemed an act of apoſtacy, and the toleration of a ſingle maſs pronounced to be more formidable to the nation than the invaſion of ten thouſand armed men‡. Under the influence of theſe opinions, many proteſtants would have ventured to go dangerous lengths; and, without attempting to convince their ſovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worſhipping God in that manner which alone ſhe thought acceptable to him.

† Knox, 284. ‡ Knox, 287.

But the prior of St. Andrews and other leaders of the party, not only reſtrained this impetuous ſpirit, but, in ſpite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domeſtics the undiſturbed exerciſe of the catholic religion. Near an hundred years after this period, when the violence of religious animoſities had begun to ſubſide, when time and progreſs of learning had enlarged the views of the human mind, an Engliſh houſe of commons refuſed to indulge the wife of their ſovereign in the private uſe of the maſs. The proteſtant leaders deſerve, on this occaſion, the praiſe both of wiſdom and of moderation for conduct ſo different. But, at the ſame time, whoever reflects upon the encroaching and ſanguinary ſpirit of popery, will be far from treating the fears and caution of the more zalous reformers as altogether imaginary, and deſtitute of any real foundation.

The proteſtants, however, by this compliance with the queen's prejudices, a few days after her arrival in Scotland, obtained from her a proclamation highly favourable to their religion. The reformed doctrine, though eſtabliſhed all over the kingdom by the parliament then met, had never received the countenance or ſanction of royal authority. But, to ſoothe the minds of thoſe who had joined in that doctrine, and to do away any doubts that they might entertain, the queen publicly announced, "that until ſhe ſhould take final orders concerning religion, with advice of parliament, any attempt to alter or ſubvert the religion which ſhe found univerſally practiſed in the realm, ſhould be deemed a capital crime*." The following year another declaration to the ſame purport was proclaimed†.

The queen, conformable to the plan which had been concerted in France, committed the adminiſtration of affairs entirely to proteſtants. Her council was filled with the moſt eminent perſons of that party; not a ſingle papiſt was admitted into any degree of confidence‡. The prior of St. Andrews and Maitland of Lethington

* Keith. 504. † Ibid. 510. ‡ Knox, 285.

ſeemed to hold the firſt place in the queen's affection, and poſſeſſed all the power and reputation of favourite miniſters. Her choice could not have fallen upon perſons more acceptable to her people; and by their prudent advice, ſhe conducted herſelf with ſo much moderation, and deference to the ſentiments of the nation, as could not fail of gaining the affection of her ſubjects', the firmeſt foundation of a prince's power, and the only genuine ſource of his happineſs and glory.

A cordial reconcilement with Elizabeth was another object of great importance to Mary; and though ſhe ſeems to have had it much at heart, in the beginning of her adminiſtration, to accompliſh ſuch a deſirable conjunction, yet many events occurred to widen, rather than to cloſe, the breach. The formal offices of friendſhip, however, are ſeldom neglected among princes; and Elizabeth, who had attempted ſo openly to obſtruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her ſafe return. Mary, that ſhe might be on equal terms with her, ſent Maitland to the Engliſh court, with many ceremonious expreſſions of regard for Elizabeth †. Both the ambaſſadors were received with the utmoſt civility; and on each ſide the profeſſions of kindneſs, as they were made with little ſincerity, were liſtened to with proportional credit.

Both were intruſted, however, with ſomething more than mere matter of ceremony. Randolph urged Mary, with freſh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuſe Elizabeth, by apologizing for the dilatory conduct of his miſtreſs with regard to that point. The multiplicity of public affairs ſince her arrival in Scotland, the importance of the queſtion in diſpute, and the abſence of many noblemen, with whom ſhe was obliged in decency to conſult, were the pretences offered in excuſe for her conduct; the real cauſes of it were thoſe which have already been mentioned. In order to extricate herſelf out of theſe difficul-

* Leſly, 235. † Keith, 181, &c.

ties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly ſhe ſeemed determined never to give up. She inſtructed Maitland to ſignify her willingneſs to diſclaim any right to the crown of England, during the life of Elizabeth, and the lives of her poſterity; if, in the failure of theſe, ſhe were declared next heir by act of parliament *.

Reaſonable as this propoſal might appear to Mary, who thereby precluded herſelf from diſturbing Elizabeth's poſſeſſion of the throne, nothing could be more inconſiſtent with Elizabeth's intereſt, or more contradictory to a paſſion which predominated in the character of that princeſs. Notwithſtanding all the great qualities which threw ſuch luſtre on her reign, we may obſerve, that ſhe was tinctured with a jealouſy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her ſituation, heightened, no doubt, and increaſed, but did not infuſe this paſſion. It deſcended to her from Henry VII. her grandfather, whom, in ſeveral features of his character, ſhe nearly reſembled. Like him, ſhe ſuffered the title by which ſhe held the crown to remain ambiguous and controverted, rather than ſubmit it to parliamentary diſcuſſion, or derive any addition to her right from ſuch authority. Like him, ſhe obſerved every pretender to the ſucceſſion, not only with that attention which prudence preſcribes, but with that averſion which ſuſpicion inſpires. The preſent uncertainty with regard to the right of ſucceſſion operated for Elizabeth's advantage, both on her ſubjects and on her rivals. Among the former; every lover of his country regarded her life as the great ſecurity of the national tranquillity; and choſe rather to acknowledge a title which was dubious, than to ſearch for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which ſhe received this ill-timed propoſal of the Scottiſh queen was no other than might have been expected. She rejected

* Camden, 387. Buch. 329.

it in a peremptory tone, with many expreſſions of a reſolution never to permit a point of ſo much delicacy to be touched.

About this time the queen made her public entry into Edinburgh with great pomp. Nothing was neglected which could expreſs the duty and affection of the citizens towards their ſovereign. But amidſt theſe demonſtrations of regard, the genius and ſentiments of the nation diſcovered themſelves in a circumſtance, which, though inconſiderable, ought not to be overlooked. As it was the mode of the times to exhibit many pageants at every public ſolemnity, moſt of theſe, on this occaſion, were contrived to be repreſentations of the vengeance which the Almighty had inflicted upon idolaters *. Even while they ſtudied to amuſe and to flatter the queen, her ſubjects could not refrain from teſtifying their abhorrence of that religion which ſhe profeſſed.

To reſtore the regular adminiſtration of juſtice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preſervation of public order, and the ſecurity of private property, were nearly the ſame in Scotland as in every other civilized country. But the nature of the Scottiſh conſtitution, the feebleneſs of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of theſe laws feeble, irregular, and partial. In the counties which border on England, this defect was moſt apparent; and the conſequences of it moſt ſenſibly felt. The inhabitants, ſtrangers to induſtry, averſe from labour, and unacquainted with the arts of peace, ſubſiſted chiefly by ſpoil and pillage, and, being confederated in ſepts or clans, committed theſe exceſſes not only with impunity, but even with honour. During the unſettled ſtate of the kingdom from the death of James V. this dangerous licence had grown to an unuſual height; and the inroads and rapine of thoſe freebooters were become no leſs intolerable to their own

* Keith, 189.

countrymen than to the Engliſh. To reſtrain and puniſh theſe outrages, was an action equally popular in both kingdoms. The prior of St. Andrews was the perſon choſen for this important ſervice, and extraordinary powers, together with the title of the queen's lieutenant, were veſted in him for this purpoſe.

Nothing can be more ſurpriſing to men accuſtomed to regular government, than the preparations made on this occaſion. They were ſuch as might be expected in the rudeſt and moſt imperfect ſtate of ſociety. The freeholders of eleven ſeveral counties, with all their followers completely armed, were ſummoned to aſſiſt the lieutanant in the diſcharge of his office. Every thing reſembled a military expedition, rather than the progreſs of a court of juſtice *. The prior executed his commiſſion with ſuch vigour and prudence, as acquired him a great increaſe of reputation and popularity among his countrymen. Numbers of the banditti ſuffered the puniſhment due to their crimes; and, by the partial and rigorous adminiſtration of juſtice, order and tranquillity were reſtored to that part of the kingdom.

During the abſence of the prior of St. Andrews, the leaders of the popiſh faction ſeem to have taken ſome ſteps towards inſinuating themſelves into the queen's favour and confidence †. But the archbiſhop of St. Andrews, the moſt remarkable perſon in the party for abilities and political addreſs, was received with little favour at court; and whatever ſecret partiality the queen might have towards thoſe who profeſſed the ſame religion with herſelf, ſhe diſcovered no inclination at that time to take the adminiſtration of affairs out of the hands to which ſhe had already committed it.

The cold reception of the archbiſhop of St. Andrews was owing to his connection with the houſe of Hamilton, from which the queen was much alienated. The duke of Guiſe and the cardinal could never forgive the zeal with which the duke of Chatelherault and his ſon the earl of Arran had eſpouſed the cauſe of the congre-

* Keith 198. † Ibid., 203.

gation. Princes ſeldom view their ſucceſſors without jealouſy and diſtruſt. The prior of St. Andrews, perhaps, dreaded the duke as a rival in power. All theſe cauſes concurred in infuſing into the queen's mind an averſion for that family. The duke, indulging his love of retirement, lived at a diſtance from court, without taking pains to inſinuate himſelf into favour; and though the earl of Arran openly aſpired to marry the queen, he, by a moſt unpardonable act of imprudence, was the only nobleman of diſtinction who oppoſed Mary's enjoying the exerciſe of her religion; and by raſhly entering a public proteſtation againſt it, entirely forfeited her favour*. At the ſame time, the ſordid parſimony of his father obliged him either to hide himſelf in ſome retirement, or to appear in a manner unbecoming his dignity as firſt prince of the blood, or his high pretenſions as ſuitor to the queen†. His love inflamed by diſappointment, and his impatience exaſperated by neglect, preyed gradually on his reaſon; and, after many extravagancies, broke out at laſt in ungovernable frenzy.

Towards the end of the year, a convention of eſtates was held, chiefly on account of eccleſiaſtical affairs. The aſſembly of the church, which ſat at the ſame time, preſented a petition, containing many demands with reſpect to the ſuppreſſing of popery, the encouraging the proteſtant religion, and the providing for the maintenance of the clergy‡. The laſt was a matter of great importance, and the ſteps taken towards it deſerve to be traced.

Though the number of proteſtant preachers was now conſiderably increaſed, many more were ſtill needed in every corner of the kingdom. No legal proviſion having been made for them, they had hitherto drawn a ſcanty and precarious ſubſiſtence from the benevolence of their people. To ſuffer the miniſters of an eſtabliſhed church to continue in this ſtate of indigence and dependence was an indecency equally repugnant to the princi-

* Keith, 201, 204. Knox, 286. † Keith, 196.
‡ Ibid. 210.

ples of religion, and to the maxims of ſound policy; and would have juſtified all the imputations of avarice with which the Reformation was then loaded by its enemies. The revenues of the popiſh church were the only fund which could be employed for their relief; but during the three laſt years the ſtate of theſe was greatly altered. A great majority of abbots, priors, and other heads of religious houſes, had, either from a ſenſe of duty, or from views of intereſt, renounced the errors of popery; and notwithſtanding this change in their ſentiments, they retained their ancient revenues. Almoſt the whole order of biſhops, and ſeveral of the other dignitaries, ſtill adhered to the Romiſh ſuperſtition; and though debarred from every ſpiritual function, continued to enjoy the temporalities of their benefices. Some laymen, eſpecially thoſe who had been active in promoting the Reformation, had, under various pretences, and amidſt the licence of civil wars, got into their hands poſſeſſions which belonged to the church. Thus, before any part of the ancient eccleſiaſtical revenues could be applied towards the maintenance of the proteſtant miniſters, many different intereſts were to be adjuſted; many claims to be examined; and the prejudices and paſſions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquieſced in even by the popiſh clergy themſelves. An exact account of the value of eccleſiaſtical benefices throughout the kingdom was appointed to be taken. The preſent incumbents, to whatever party they adhered, were allowed to keep poſſeſſion: two thirds of their whole revenue were reſerved for their own uſe, the remainder was annexed to the crown; and out of that, the queen undertook to aſſign a ſufficient maintenance for the proteſtant clergy †.

As moſt of the biſhops and ſeveral of the other dignitaries were ſtill firmly attached to the popiſh religion, the extirpation of the whole order, rather than an act

† Keith, Append. 175. Knox, 194.

of ſuch extraordinary indulgence, might have been expected from the zeal of the preachers, and from the ſpirit which had hitherto animated the nation. But, on this occaſion, other principles obſtructed the operations of ſuch as were purely religious. Zeal for liberty, and the love of wealth, two paſſions extremely oppoſite, concurred in determining the proteſtant leaders to fall in with this plan, which deviated ſo manifeſtly from the maxims by which they had hitherto regulated their conduct.

If the reformers had been allowed to act without controul, and to level all diſtinction in the church, the immenſe revenues annexed to eccleſiaſtical dignities could not, with any colour of juſtice, have been retained by thoſe in whoſe hands they now were; but muſt either have been diſtributed amongſt the proteſtant clergy, who performed all religious offices, or muſt have fallen to the queen, from the bounty of whoſe anceſtors the greater part of them was originally derived. The former, however ſuitable to the religious ſpirit of many among the people, was attended with manifold danger. The popiſh eccleſiaſtics had acquired a ſhare in the national property, which far exceeded the proportion that was conſiſtent with the happineſs of the kingdom; and the nobles were determined to guard againſt this evil, by preventing the return of thoſe vaſt poſſeſſions into the hands of the church. Nor was the latter, which expoſed the conſtitution to more imminent hazard, to be avoided with leſs care. Even that circumſcribed prerogative which the Scottiſh kings poſſeſſed, was the object of jealouſy to the nobles. If they had allowed the crown to ſeize the ſpoils of the church, ſuch an increaſe of power muſt have followed that acceſſion of property, as would have raiſed the royal authority above controul, and have rendered the moſt limited prince in Europe the moſt abſolute and independent. The reign of Henry VIII. preſented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the ſuppreſſion of the monaſteries, not only changed the maxims of his government, but the temper of

his mind; and he who had formerly ſubmitted to his parliaments and courted his people, dictated from that time to the former with intolerable inſolence, and tyrannized over the latter with unprecedented ſeverity. And if his policy had not been extremely ſhort-ſighted, if he had not ſquandered what he acquired, with a profuſion equal to his rapaciouſneſs, and which defeated his ambition, he might have eſtabliſhed deſpotiſm in England, on a baſis ſo broad and ſtrong, as all the efforts of the ſubjects would never have been able to ſhake. In Scotland, where the riches of the clergy bore as great a proportion to the wealth of the kingdom, the acquiſition of church lands would have been of no leſs importance to the crown, and no leſs fatal to the ariſtocracy. The nobles, for this reaſon, guarded againſt ſuch an increaſe of the royal power, and thereby ſecured their own independence.

Avarice mingled itſelf with their concern for the intereſt of their order. The re-uniting the poſſeſſions of the church to the crown, or the beſtowing them on the proteſtant clergy, would have been a fatal blow, both to thoſe nobles who had, by fraud or violence, ſeized part of theſe revenues, and to thoſe abbots and priors who had totally renounced their eccleſiaſtical character. But as the plan which was propoſed gave ſome ſanction to their uſurpation, they promoted it with their utmoſt influence. The popiſh eccleſiaſtics, though the lopping off a third of their revenues was by no means agreeable to them, conſented, under their preſent circumſtances, to ſacrifice a part of their poſſeſſions, in order to purchaſe the ſecure enjoyment of the remainder; and after deeming the whole irrecoverably loſt, they conſidered whatever they could retrieve as ſo much gain. Many of the ancient dignitaries were men of noble birth; and as they no longer entertained hopes of reſtoring the popiſh religion, they wiſhed their own relations, rather than the crown, or the proteſtant clergy, to be enriched with the ſpoils of the church. They connived, for this reaſon, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patri-

mony of the church among their own relations, and by granting *feus* and perpetual leaſes of lands and tithes, gave, to the utmoſt of their power, ſome colour of legal poſſeſſion to what was formerly mere uſurpation. Many veſtiges of ſuch alienations ſtill remain †. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually ſtripped the eccleſiaſtics of their richeſt and moſt valuable poſſeſſions. Even that third part, which was given up in order to ſilence the clamours of the proteſtant clergy, and to be ſome equivalent to the crown for its claims, amounted to no conſiderable ſum. The *thirds* due by the more powerful nobles, eſpecially by ſuch as had embraced the Reformation, were almoſt univerſally remitted. Others, by producing fraudulent rentals; by eſtimating the corn, and other payments in kind, at an undervalue; and by the connivance of collectors, greatly diminiſhed the charge againſt themſelves ‡: and the nobles had much reaſon to be ſatisfied with a device, which, at no ſmall expence, ſecured to them ſuch vaſt poſſeſſions.

Nor were the proteſtant clergy conſiderable gainers by this new regulation; they found it to be a more eaſy matter to kindle zeal, than to extinguiſh avarice. Thoſe very men, whom formerly they had ſwayed with abſolute authority, were now deaf to all their remonſtrances. The prior of St. Andrews, the earl of Argyle, the earl of Morton, and Maitland, all the moſt zealous leaders of the congregation, were appointed to aſſign, or, as it was called, to *modify* their ſtipends. An hundred merks Scottiſh was the allowance which their liberality afforded to the generality of miniſters. To a few, three hundred merks were granted *. About twenty-four thouſand pounds Scottiſh appears to have been the whole ſum alloted for the maintenance of a national church eſtabliſhed by law, and eſteemed throughout the kingdom the true church of God ||.

† Keith, 507. Spotſw. 274
‡ Keith, Append. 288. Spotſw. 283.
* Knox, 301. || Keith, Append. 188.

Even this ſum was paid with little exactneſs, and the miniſters were kept in the ſame poverty and dependence as formerly.

The gentleneſs of the queen's adminiſtration, and the elegance of her court, had mitigated, in ſome degree, the ferocity of the nobles, and accuſtomed them to greater mildneſs and humanity; while, at the ſame time, her preſence and authority were a check to their factious and tumultuary ſpirit. But, as a ſtate of order and tranquillity was not natural to the feudal ariſtocracy, it could not be of long continuance; and this year became remarkable for the moſt violent eruptions of inteſtine diſcord and animoſity.

Among the great and independent nobility of Scotland a monarch could poſſeſs little authority, and exerciſe no extenſive or rigorous juriſdiction. The interfering of intereſt, the unſettled ſtate of property, the frequency of public commotions, and the fierceneſs of their own manners, ſowed among the great families the ſeeds of many quarrels and contentions. Theſe, as we have already obſerved, were frequently decided not by law, but by violence. The offended baron, without having recourſe to the monarch, or acknowledging his ſuperior authority, aſſembled his own followers, and invaded the lands of his rival in an hoſtile manner. Together with his eſtate and honours, every nobleman tranſmitted ſome hereditary feud to his poſterity, who were bound in honour to adopt and to proſecute it with the ſame inveterate rancour.

Such a diſſenſion had ſubſiſted between the houſe of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions*. Both the earl of Arran and Bothwell happening to attend the court at the ſame time, their followers quarrelled frequently in the ſtreets of Edinburgh, and excited dangerous tumults in that city. At laſt, the mediation of their friends, particularly of Knox, brought about a re-

* Keith, 215.

conciliement, but an unfortunate one to both theſe noblemen ‖.

A few days after, Arran came to Knox, and, with the utmoſt terror and confuſion, confeſſed firſt to him, and then to the prior of St. Andrews, that, in order to obtain the ſole direction of affairs, Bothwell, and his kinſmen, the Hamiltons, had conſpired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chetelherault regarded the prior as a rival, who had ſupplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himſelf, as firſt prince of the blood. Bothwell, on account of the perſonal injuries which he had received from the prior during the late commotions, was no leſs exaſperated againſt him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conſpiracy exiſted only in the frantic and diſordered imagination of the earl of Arran, it is impoſſible, amidſt the contradiction of hiſtorians and the defectiveneſs of records, poſitively to determine. Among men inflamed with reſentment and impatient for revenge, raſh expreſſions might be uttered, and violent and criminal expedients propoſed; and on that foundation, Arran's diſtempered fancy might rear the whole ſuperſtructure of a conſpiracy. All the perſons accuſed, denied their guilt with the utmoſt confidence. But the known characters of the men, and the violent ſpirit of the age, added greatly to the probability of the accuſation, and abundantly juſtify the conduct of the queen's miniſters, who confined Bothwell, Arran, and a few of the ringleaders, in ſeparate priſons, and obliged the duke to ſurrender the ſtrong caſtle of Dumbarton, which he had held ever ſince the time of his reſigning the office of regent *.

The deſigns of the earl of Huntly againſt the prior of St. Andrews were deeper laid, and produced more memorable and more tragical events. George Gordon

‖ Knox, 305. * Ibid. 307, 308.

earl of Huntly having been one of the nobles who conſpired againſt James III. and who raiſed his ſon James IV. to the throne, enjoyed a great ſhare in the confidence of that generous prince §. By his bounty, great acceſſions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander the next earl, being appointed lord lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and having retired to the north, where his eſtate and influence lay, reſided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the increaſing dominion of ſuch a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he ſecretly undermined, others he ſubdued by open force. His eſtate far exceeded that of any other ſubject, and his *ſuperiorities* and juriſdictions extended over many of the northern counties. With power and poſſeſſions ſo immenſe, under two long and feeble minorities, and amidſt the ſhock of civil commotions, the earls of Huntly might have indulged the moſt elevated hopes. But happily for the crown, an active and enterpriſing ſpirit was not the characteriſtic of that family, and whatever object their ambition might have in view, they choſe rather to acquire it by political addreſs, than to ſeize it openly, and by force of arms.

The conduct of George the preſent earl, during the late commotions, had been perfectly ſuitable to the character of the family in that age, dubious, variable, and crafty. While the ſucceſs of the lords of the congregation was uncertain, he aſſiſted the queen regent in attempting to cruſh them. When their affairs put on a better aſpect, he pretended to join them, but never heartily favoured their cauſe. He was courted and dreaded by each of the contending parties; both connived at his encroachments in the north; and, by artifice and force, which he well knew how to employ

§ Crawf. Offic. of State, 56.

alternately, and in their proper places, he added every day to the exorbitant power and wealth which he poſſeſſed.

He obſerved the growing reputation and authority of the prior of St. Andrews with the greateſt jealouſy and concern, and conſidered him as a rival who had engroſſed that ſhare in the queen's confidence, to which his own zeal for the popiſh religion ſeemed to give him a preferable title. Perſonal injuries ſoon increaſed the miſunderſtanding occaſioned by rivalſhip in power. The queen determining to reward the ſervices of the prior of St. Andrews, by creating him an earl, made choice of Mar, as the place from which he ſhould take his title; and, that he might be better able to ſupport his new honour, beſtowed upon him at the ſame time the lands of that name. Theſe were part of the royal demeſnes *, but the earls of Huntly had been permitted for ſeveral years to keep poſſeſſion of them †. On this occaſion, the earl not only complained, with ſome reaſon, of the loſs which he ſuſtained, but had real cauſe to be alarmed at the intruſion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppreſſed vaſſals to ſhake off his yoke.

An incident which happened ſoon after, increaſed and confirmed Huntly's ſuſpicions. Sir John Gordon, his third ſon, and lord Ogilvie, had a diſpute about the property of an eſtate. This diſpute became a deadly quarrel. They happened unfortunately to meet in the ſtreets of Edinburgh, and being both attended with armed followers, a ſcuffle enſued, in which lord Ogilvie was dangerouſly wounded by ſir John. The magiſtrates apprehended both the offenders, and the queen commanded them to be cloſely confined. Under any regular government, ſuch a breach of public peace and order would expoſe the perſon offending to certain puniſhment. At this time ſome ſeverity was neceſſary, in order to vindicate the queen's authority from an

* Crawf. Peer. 297. † Buch. 334.

inſult, the moſt heinous which had been offered to it ſince her return into Scotland. But, in an age accuſtomed to licence and anarchy, even this moderate exerciſe of her power, in ordering them to be kept in cuſtody, was deemed an act of intolerable ſeverity; and the friends of each party began to convene their vaſſals and dependents, in order to overawe, or to fruſtrate, the deciſions of juſtice *. Meanwhile Gordon making his eſcape out of priſon, and flying into Aberdeenſhire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were, at this juncture, imputed to the earl of Mar, this added very much to the reſentment which Huntly had conceived againſt that nobleman.

At the very time when theſe paſſions fermented, with the greateſt violence, in the minds of the earl of Huntly and his family, the queen happened to ſet out on a progreſs into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland, and other leaders of that party. The preſence of the queen in a country where no name greater than the earl of Huntly's had been heard of, and no power ſuperior to his had been exerciſed, for many years, was an event of itſelf abundantly mortifying to that haughty nobleman. But while the queen was entirely under the direction of Mar, all her actions were more apt to be miſrepreſented, and conſtrued into injuries; and a thouſand circumſtances could not but occur to awaken Huntly's jealouſy, to offend his pride, and to inflame his reſentment. Amidſt the agitations of ſo many violent paſſions, ſome eruption was unavoidable.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commiſſion with abundance of dexterity, to ſoothe the queen, and to intercede for pardon to their ſon. But the queen peremptorily required that he ſhould again deliver himſelf into the hands of juſtice, and rely on her clemency.

* Keith, 223.

Gordon was perſuaded to do ſo; and being enjoined by the queen to enter himſelf priſoner in the caſtle of Stirling, he promiſed likewiſe to obey that command. Lord Erſkine, Mar's uncle, was at that time governor of this fort. The queen's ſeverity, and the place in which ſhe appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons againſt him.

Meantime ſir John Gordon ſet out towards Stirling; but, inſtead of performing his promiſe to the queen, made his eſcape from his guards, and returned to take the command of his followers, who were riſing in arms all over the north. Theſe were deſtined to ſecond and improve the blow, by which his father propoſed, ſecretly and at once, to cut off Mar, Morton, and Maitland, his principal adverſaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by ſome of thoſe unforeſeen accidents which ſo often occur to diſconcert the ſchemes, and to intimidate the hearts of aſſaſſins *. Huntly's own houſe at Strathbogie was the laſt and moſt convenient ſcene appointed for committing the intended violence. But, on her journey thither, the queen heard of young Gordon's flight and rebellion, and refuſing, in the firſt tranſports of her indignation, to enter under the father's roof, by that fortunate expreſſion of her reſentment ſaved her miniſters from unavoidable deſtruction †.

The ill ſucceſs of theſe efforts of private revenge precipitated Huntly into open rebellion. As the queen was entirely under the direction of his rivals, it was impoſſible to work their ruin, without violating the allegiance which he owed his ſovereign. On her arrival at Inverneſs, the commanding officer in the caſtle, by Huntly's orders ſhut the gates againſt her. Mary

* Keith, 230. † Knox, 318.

was obliged to lodge in the town, which was open and defenceleſs; but this too was quickly ſurrounded by a multitude of the earl's followers ‡. The utmoſt conſternation ſeized the queen, who was attended by a very ſlender train. She every moment expected the approach of the rebels, and ſome ſhips were already ordered into the river to ſecure her eſcape. The loyalty of the Monroes, Frazers, Mackintoſhes, and ſome neighbouring clans, who took arms in her defence, ſaved her from this danger. By their aſſiſtance, ſhe even forced the caſtle to ſurrender, and inflicted on the governor the puniſhment which his inſolence deſerved.

This open act of diſobedience was the occaſion of a meaſure more galling to Huntly than any the queen had hitherto taken. Lord Erſkine having pretended a right to the earldom of Mar, Stewart reſigned it in his favour; and at the ſame time Mary conferred upon him the title of earl of Murray, with the eſtate annexed to that dignity, which had been in poſſeſſion of the earl of Huntly ſince the year 1548 †. From this he concluded that his family was devoted to deſtruction; and dreading to be ſtripped gradually of thoſe poſſeſſions which, in reward of their ſervices, the gratitude of the crown had beſtowed on himſelf, or his anceſtors, he no longer diſguiſed his intentions, but, in defiance of the queen's proclamation, openly took arms. Inſtead of yielding thoſe places of ſtrength which Mary required him to ſurrender, his followers diſperſed or cut in pieces the parties which ſhe deſpatched to take poſſeſſion of them ‡; and he himſelf advancing with a conſiderable body of men towards Aberdeen, to which place the queen was now returned, filled her ſmall court with conſternation. Murray had only a handful of men in whom ſhe could confide §. In order to form the appearance of an army, he was obliged to call in the aſſiſtance of the neighbouring barons; but as

† Crawf. Offic. of State, 87, 88. † Crawf. Peer. 359
‡ Knox, 319. § Keith, 230.

moſt of theſe either favoured Huntly's deſigns, or ſtood in awe of his power, from them no cordial or effectual ſervice could be expected.

With theſe troops, however, Murray, who could gain nothing by delay, marched briſkly towards the enemy. He found them at Corrichie, poſted to great advantage; he commanded his northern aſſociates inſtantly to begin the attack; but on the firſt motion of the enemy, they treacherouſly turned their backs; and Huntly's followers, throwing aſide their ſpears, and breaking their ranks, drew their ſwords, and ruſhed forward to the purſuit. It was then that Murray gave proof, both of ſteady courage and of prudent conduct. He ſtood immoveable on a riſing ground, with the ſmall but truſty body of his adherents, who preſenting their ſpears to the enemy, received them with a determined reſolution, which they little expected. The Highland broad ſword is not a weapon fit to encounter the Scottiſh ſpear. In every civil commotion, the ſuperiority of the latter has been evident, and has always decided the conteſt. On this occaſion the irregular attack of Huntly's troops was eaſily repulſed by Murray's firm battalion. Before they recovered from the confuſion occaſioned by this unforeſeen reſiſtance, thoſe who had begun the flight, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himſelf, who was extremely corpulent, was trodden to death in the purſuit. His ſons, ſir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his priſoners.

The trial of men taken in actual rebellion againſt their ſovereign was extremely ſhort. Three days after the battle, ſir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's deſigns, was ſeized in the ſouth, and upon trial, found guilty of treaſon; but, through the queen's clemency, the puniſhment was remitted. The firſt parliament proceeded againſt this great family with the

utmoſt rigour of law, and reduced their power and fortune to the loweſt ebb *.

As the fall of the earl of Huntly is the moſt important event of this year, it would have been improper to interrupt the narrative by taking notice of leſſer tranſactions, which may now be related with equal propriety.

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* This conſpiracy of the earl of Huntly is one of the moſt intricate and myſterious paſſages of the Scottiſh hiſtory. As it was a tranſaction purely domeſtic, and in which the Engliſh were little intereſted, few original papers concerning it have been found in Cecil's collection, the great ſtorehouſe of evidence and information with regard to the affairs of this period.

Buchanan ſuppoſes Mary to have formed a deſign about this time of deſtroying Murray, and of employing the power of the earl of Huntly for this purpoſe. But his account of this whole tranſaction appears to be ſo void of truth, and even of probability, as to deſerve no ſerious examination. At that time Mary wanted power, and ſeems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheſes have been advanced, in order to explain this matter, but they appear to be equally removed from truth.

I. It cannot well be conceived, that the queen's journey to the north was a ſcheme concerted by Murray, in order to ruin the earl of Huntly. 1. Huntly had reſided at court almoſt ever ſince the queen's return. Keith, 198. Append. 175, &c. This was the proper place in which to have ſeized him. To attack him in Aberdeenſhire, the ſeat of his power, and in the midſt of his vaſſals, was a project equally abſurd and hazardous. 2. The queen was not accompanied with a body of troops, capable of attempting any thing againſt Huntly by violence; her train was not more numerous than was uſual in times of greateſt tranquillity. Keith, 230. 3. There remain two original letters with regard to this conſpiracy, one from Randolph

In the beginning of the ſummer, Mary, who was deſirous of entering into a more intimate correſpondence and familiarity with Elizabeth, employed Maitland to deſire a perſonal interview with her, ſomewhere in the north of England. As this propoſal could not be rejected with decency, the time, the place, and the circumſtances of the meeting, were inſtantly agreed upon. But Elizabeth was prudent enough not to admit into

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the Engliſh reſident, and another from Maitland; both directed to Cecil. They talk of Huntly's meaſures as notoriouſly treaſonable. Randolph mentions his attempts to aſſaſſinate Murray, &c. No hint is given of any previous reſolution, formed by Mary's miniſters, to ruin Huntly and his family. Had any ſuch deſign ever exiſted, it was Randolph's duty to have diſcovered it, nor would Maitland have laboured to conceal it from the Engliſh ſecretary. Keith, 229, 233.

II. To ſuppoſe that the earl of Huntly had laid any plan for ſeizing the queen and her miniſters, ſeems to be leſs improbable. 1. On the queen's arrival in the north, he laboured, in good earneſt, to gain her favour, and to obtain a pardon for his ſon. Knox, 318. 2. He met the queen, firſt at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any ſuch treaſonable reſolution. Knox, 318. 3. His conduct was irreſolute and wavering, like that of a man diſconcerted by an unforeſeen danger, not like one executing a concerted plan. 4. The moſt conſiderable perſons of his clan ſubmitted to the queen, and found ſurety to obey her commands Keith, 226. Had the earl been previouſly determined to riſe in arms againſt the queen, or to ſeize her miniſters, it is probable he would have imparted it to his principal followers, nor would they have deſerted him in this manner.

For theſe reaſons, we have, on the one hand, vindicated the earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other

her kingdom a rival who outſhone herſelf ſo far in beauty and gracefulneſs of perſon; and who excelled ſo eminently in all the arts of inſinuation and addreſs. Under pretence of being confined to London, by the attention which ſhe was obliged to give to the civil wars in France, ſhe put off the interview for that ſeaſon *, and prevented her ſubjects from ſeeing the Scottiſh queen, the charms of whoſe appearance and behaviour ſhe envied, and had ſome reaſon to dread.

During this year, the aſſembly of the church met twice. In both theſe meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs againſt the negligence or avarice of thoſe who had been appointed to collect and to diſtribute the ſmall fund appropriated for the maintenance of preachers †. A petition, craving redreſs of their grievances, was preſented to the queen; but without any effect. There was no reaſon to expect that Mary would diſcover any forwardneſs to grant the requeſts of ſuch ſupplicants. As her miniſters, though all moſt zealous proteſtants, were themſelves growing rich on the inheritance of the church, they were equally regardleſs of the indigence and demands of their brethren.

Mary had now continued above two years in a ſtate of widowhood. Her gentle adminiſtration had ſecured the hearts of her ſubjects, who were impatient for her marriage, and wiſhed the crown to deſcend in the right line from their ancient monarchs. She herſelf was the moſt amiable woman of the age; and the fame of her accompliſhments, together with the favourable circumſtance of her having one kingdom already in her poſſeſſion, and the proſpect of mounting the throne of another, prompted many different princes to ſolicit an alliance ſo illuſtrious. Scotland, by its ſituation, threw ſo much weight and power into whatever ſcale it fell, that

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hand, we have imputed the violent conduct of the earl of Huntly to a ſudden ſtart of reſentment, without charging him with any premeditated purpoſe of rebellion.

* Keith, 216. † Knox, 311, 323.

all Europe waited with ſolicitude for Mary's determination; and no event in that age excited ſtronger political fears and jealouſies, none intereſted more deeply the paſſions of ſeveral princes, or gave riſe to more contradictory intrigues, than the marriage of the Scottiſh queen.

The princes of the houſe of Auſtria remembered what vaſt projects the French had founded on their former alliance with the queen of Scots; and though the unexpected death, firſt of Henry and then of Francis, had hindered theſe from taking effect, yet if Mary ſhould again make choice of a huſband among the French princes, the ſame deſigns might be revived and proſecuted with better ſucceſs.

In order to prevent this, the emperor entered into a negotiation with the cardinal of Lorrain, who had propoſed to marry the Scottiſh queen to the archduke Charles, Ferdinand's third ſon. The matter was communicated to Mary; and Melvil, who at that time attended the elector palatine, was commanded to inquire into the character and ſituation of the archduke †.

Philip II. though no leſs apprehenſive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquiſition of ſo important a prize; and as his own inſatiable ambition graſped at all the kingdoms of Europe, he employed his ambaſſador at the French court to ſolicit the princes of Lorrain in behalf of his ſon Don Carlos, at that time the heir of all the extenſive dominions which belonged to the Spaniſh monarchy ‡.

Catherine of Medicis, on the other hand, dreaded the marriage of the Scottiſh queen to any of the Auſtrian princes, which would have added ſo much to the power and pretenſions of that ambitious race. Her jealouſy of the princes of Lorrain rendered her no leſs averſe from an alliance, which, by ſecuring them the protection of the emperor or king of Spain, would give new bold-

† Melv 63, 65. Keith, 239. See Append. VII.
‡ Caſteln. 461. Addit. a Labour 501, 503.

neſs to their enterpriſing ſpirit, and enable them to ſet the power of the crown, which they already rivalled, at open defiance: and as ſhe was afraid that theſe ſplendid propoſals of the Auſtrian family would dazzle the young queen, ſhe inſtantly deſpatched Caſtlenau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former huſband, who ſoon after mounted the throne of France†.

Mary attentively weighed the pretenſions of ſo many rivals. The archduke had little to recommend him but his high birth. The example of Henry VIII. was a warning againſt contracting a marriage with the brother of her former huſband; nor could ſhe bear the thoughts of appearing in France, in a rank inferior to that which ſhe had formerly held in that kingdom. She liſtened therefore with partiality to the Spaniſh propoſitions, and the proſpect of ſuch vaſt power and dominions flattered the ambition of a young and aſpiring princeſs.

Three ſeveral circumſtances, however, concurred to divert Mary from any thoughts of a foreign alliance.

The firſt of theſe was the murder of her uncle the duke of Guiſe. The violence and ambition of that nobleman had involved his country in a civil war, which was conducted with furious animoſity, and various ſucceſs At laſt the duke laid ſiege to Orleans, the bulwark of the proteſtant cauſe; and he had reduced that city to the laſt extremity, when he was aſſaſſinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal, though ſubtle and intriguing, wanted that undaunted and enterpriſing courage which rendered the ambition of his brother ſo formidable. Catherine, inſtead of encouraging this ambition, or furthering the pretenſions, of her daughter in-law, took pleaſure in mortifying the one, and in diſappointing the other. In this ſituation, and without ſuch a protector, it became neceſſary for Mary to contract her views, and to pro-

† Caſtelnau 461.

ceed with caution; and whatever proſpect of advantage, might allure her, ſhe could venture upon no dangerous or doubtful meaſure.

The ſecond circumſtance which weighed with Mary, was the opinion of the queen of England. The marriage of the Scottiſh queen intereſted Elizabeth more deeply than any other prince; and ſhe obſerved all her deliberations concerning it with the moſt anxious attention. She herſelf ſeems early to have formed a reſolution of living unmarried, and ſhe diſcovered no ſmall inclination to impoſe the ſame law on the queen of Scots. She had already experienced what uſe might be made of Mary's power and pretenſions to invade her dominions, and to diſturb her poſſeſſion of the crown. The death of Francis II. had happily delivered her from this danger, which ſhe determined to guard againſt for the future with the utmoſt care. And as the reſtleſs ambition of the Auſtrian princes, the avowed and bigotted patrons of the catholic ſuperſtition, made her, in a particular manner, dread their neighbourhood, ſhe inſtructed Randolph to remonſtrate, in the ſtrongeſt terms, againſt any alliance with them; and to acquaint Mary, that as ſhe herſelf would conſider ſuch a match to be a breach of the perſonal friendſhip, in which they were ſo happily united, ſo the Engliſh nation would regard it as the diſſolution of that confederacy which now ſubſiſted between the two kingdoms. That, in order to preſerve their own religion and liberties, they would in all probability take ſome ſtep prejudicial to her right of ſucceſſion, which, as ſhe well knew, they neither wanted power nor pretences to invalidate and ſet aſide. This threatening was accompanied with a promiſe, but expreſſed in very ambiguous terms, that if Mary's choice of a huſband ſhould prove agreeable to the Engliſh nation, Elizabeth would appoint proper perſons to examine her title to the ſucceſſion, and, if well founded, command it to be publicly recogniſed. She obſerved, however, a myſterious ſilence concerning the perſon on whom ſhe wiſhed the choice of the Scottiſh queen to fall. The revealing of this ſecret was reſerved for ſome

future negotiation. Meanwhile ſhe threw out ſome obſcure hints, that a native of Britain, or one not of princely rank, would be her ſafeſt and moſt inoffenſive choice ‡. An advice offered with ſuch an air of ſuperiority and command mortified, no doubt, the pride of the Scottiſh queen. But, under her preſent circumſtances, ſhe was obliged to bear this indignity. Deſtitute of all foreign aſſiſtance, and intent upon the Engliſh ſucceſſion, the great object of her wiſhes and ambition, it became neceſſary to court a rival, whom, without manifeſt imprudence, ſhe ſhould not venture to offend.

The inclination of her own ſubjects was another, and not the leaſt conſiderable circumſtance, which called for Mary's attention at this conjuncture. They had been taught by the fatal experiment of her former marriage, to dread an union with any great prince, whoſe power might be employed to oppreſs their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown ſhould be ſtrengthened by new dominions or alliances, they foreſaw that the royal prerogative would ſoon be ſtretched beyond its ancient and legal limits. Their eagerneſs to prevent this could ſcarce fail of throwing them into the arms of England. Elizabeth would be ready to afford them her aid towards obſtructing a meaſure ſo diſagreeable to herſelf. It was eaſy for them to ſeize the perſon of the ſovereign. By the aſſiſtance of the Engliſh fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconſiderable party in the kingdom, and diſpirited by the loſs of the earl of Huntly, could give no obſtruction to their deſigns. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifeſt from the tranſactions both previous and ſubſequent to the preſent period.

For theſe reaſons Mary laid aſide, at that time, all thoughts of foreign alliance, and ſeemed willing to ſacrifice her own ambition, in order to remove the jealou-

‡ Keith, 242, 245.

ſies of Elizabeth, and to quiet the fears of her own ſubjects.

The parliament met this year, for the firſt time ſince the queen's return into Scotland. Mary's adminiſtration had hitherto been extremely popular. Her miniſters poſſeſſed the confidence of the nation. And by conſequence, the proceedings of that aſſembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrews was confirmed; the earl of Huntly, and ſeveral of his vaſſals and dependents, were attainted: the attainder againſt Kirkaldy of Grange, and ſome of his accomplices in the murder of cardinal Beatoun, was reverſed*: the act of oblivion, mentioned in the treaty of Edinburgh, received the royal ſanction. But Mary, who had determined never to ratify that treaty, took care that this ſanction ſhould not be deemed any acknowledgement of its validity; ſhe granted her conſent merely in condeſcenſion to the lords in parliament, who, on their knees, beſought her to allay the jealouſies and apprehenſions of her ſubjects, by ſuch a gracious law†.

No attempt was made, in this parliament, to procure the queen's aſſent to the laws eſtabliſhing the proteſtant religion. Her miniſters, though zealous proteſtants themſelves, were aware that this could not be urged without manifeſt danger and imprudence. She had conſented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to impriſon and proſecute the archbiſhop of St. Andrews, and prior of Whithorn, for celebrating maſs contrary to her proclamation‖. Mary, however, was ſtill paſſionately devoted to the Romiſh ſuperſtition; and though, from political motives, ſhe had granted a temporary indulgence to opinions which ſhe diſapproved, there were no grounds to hope that ſhe would agree to eſtabliſh them for perpetuity. The moderation of thoſe who profeſſed it was the beſt method for reconciling

* Knox, 330. † Parl. 9. Q. Mary, c. 67. Spotſ. 188.
‖ Keith, 239.

the queen to the proteſtant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at laſt ſhe might yield to the wiſhes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be propoſed in parliament; and to defeat all theſe, by ſuch a fruitleſs and ill-timed application to the queen, would have been equally injurious to individuals, and detrimental to the public.

The zeal of the proteſtant clergy was deaf to all theſe conſiderations of policy. Eager and impatient, it brooked no delay; ſevere and inflexible, it would condeſcend to no compliances. The leading men of that order inſiſted, that this opportunity of eſtabliſhing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apoſtacy; and their endeavours to gain the queen, they reckoned criminal and ſervile: Knox ſolemnly renounced the friendſhip of the earl of Murray, as a man devoted to Mary, and ſo blindly zealous for her ſervice, as to become regardleſs of thoſe objects which he had hitherto eſteemed moſt ſacred. This rupture, which is a ſtrong proof of Murray's ſincere attachment to the queen at that period, continued above a year and an half ‡.

The preachers being diſappointed by the men in whom they placed the greateſt confidence, gave vent to their indignation in their pulpits. Theſe echoed more loudly than ever with declamations againſt idolatry; with diſmal preſages concerning the queen's marriage with a foreigner, and with bitter reproaches againſt thoſe who, from intereſted motives, had deſerted that cauſe which they once reckoned it their honour to ſupport. The people, inflamed by ſuch vehement declamations, which were dictated by a zeal more ſincere than prudent, proceeded to raſh and unjuſtifiable acts of violence. During the queen's abſence, on a progreſs into the weſt, maſs continued to be celebrated in her chapel at Holyrood-houſe. The multitude of thoſe who

‡ Knox, 331.

openly reſorted thither gave great offence to the citizens of Edinburgh, who, being free from the reſtraint which the royal preſence impoſed, aſſembled in a riotous manner, interrupted the ſervice, and filled thoſe preſent with the utmoſt conſternation. Two of the ringleaders in this tumult were ſeized, and a day appointed for their trial †.

Knox, who deemed the zeal of theſe perſons laudable, and their conduct meritorious, conſidered them as ſufferers in a good cauſe; and in order to ſcreen them from danger, he iſſued circular letters, requiring all who profeſſed the true religion, or were concerned for the preſervation of it, to aſſemble at Edinburgh, on the day of trial, and by their preſence to comfort and aſſiſt their diſtreſſed brethren ‖. One of theſe letters fell into the queen's hands. To aſſemble the ſubjects without the authority of the ſovereign was conſtrued to be treaſon, and a reſolution was taken to proſecute Knox for that crime, before the privy council. Happily for him, his judges were not only zealous proteſtants, but the very men who, during the late commotions, had openly reſiſted and ſet at defiance the queen's authority. It was under precedents drawn from their own conduct that Knox endeavoured to ſhelter himſelf. Nor would it have been an eaſy matter for theſe counſellors to have found out a diſtinction, by which they could cenſure him, without condemning themſelves. After a long hearing, he was unanimouſly acquitted. Sinclair, biſhop of Roſs, and preſident of the court of ſeſſion, a zealous papiſt, heartily concurred with the other counſellors in this deciſion ‡, a remarkable act, which ſhows the unſettled ſtate of government in that age; the low condition to which legal authority was then ſunk; and the impunity with which the ſubjects might invade thoſe rights of the crown which are now held ſacred.

The marriage of the Scottiſh queen continued ſtill to be the object of attention and intrigue. Though Elizabeth, even while ſhe wiſhed to direct Mary, treated her

† Knox, 335. ‖ Ibid. 336. ‡ Knox, 343.

with a diſguſtful reſerve; though ſhe kept her, without neceſſity, in a ſtate of ſuſpenſe; and hinted often at the perſon whom ſhe deſtined to be her huſband, without directly mentioning his name; yet Mary framed all her actions to expreſs ſuch a prudent reſpect for the Engliſh queen, that foreign princes began to imagine ſhe had given herſelf up implicitly to her direction*. The proſpect of this union alarmed Catherine of Medicis. Tho' Catherine had taken pleaſure all along in doing ill offices to the queen of Scots; though, ſoon after the duke of Guiſe's death, ſhe had put upon her a moſt mortifying indignity, by ſtopping the payment of her dowry, by depriving her ſubject the duke of Chatelherault of his penſion, and by beſtowing the command of the Scottiſh guards on a Frenchman†; ſhe reſolved, however, to prevent this dangerous conjunction of the Britiſh queens. For this purpoſe ſhe now employed all her art to appeaſe Mary‡, to whom ſhe had given ſo many cauſes of offence. The arrears of her dowry were inſtantly paid; more punctual remittances were promiſed for the future; and offers made, not only to reſtore, but to extend the privileges of the Scottiſh nation in France. It was eaſy for Mary to penetrate into the motives of this ſudden change; ſhe well knew the character of her mother-in-law, and laid little ſtreſs upon profeſſions of friendſhip which came from a princeſs of ſuch a falſe and unfeeling heart.

The negotiation with England, relative to the marriage, ſuffered no interruption from this application of the French queen. As Mary, in compliance to her ſubjects, and preſſed by the ſtrongeſt motives of intereſt, determined ſpeedily to marry, Elizabeth was obliged to break that unaccountable ſilence which ſhe had hitherto affected. The ſecret was diſcloſed, and her favourite lord Robert Dudley, afterwards earl of Leiceſter, was declared to be the happy man whom ſhe had choſen to be the huſband of a queen courted by ſo many princes§.

* Keith, 248. † Ibid 244. ‡ See Append. No. VIII.
§ Keith, 251.

Elizabeth's wiſdom and penetration were remarkable in the choice of her miniſters; in diſtinguiſhing her favourites, thoſe great qualities were leſs conſpicuous. She was influenced in two caſes ſo oppoſite, by merit of very different kinds. Their capacity for buſineſs, their knowledge, their prudence, were the talents to which alone ſhe attended in chuſing her miniſters; whereas beauty and gracefulneſs of perſon, poliſhed manners, and courtly addreſs, were the accompliſhments on which ſhe beſtowed her favour. She acted in the one caſe with the wiſdom of a queen, in the other ſhe diſcovered the weakneſs of a woman. To this Leiceſter owed his grandeur. Though remarkable neither for eminence in virtue nor ſuperiority of abilities, the queen's partiality diſtinguiſhed him on every occaſion. She raiſed him to the higheſt honours, ſhe beſtowed on him the moſt important employments, and manifeſted an affection ſo diſproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence*.

The high ſpirit of the Scottiſh queen could not well bear the firſt overture of a match with a ſubject. Her own rank, the ſplendor of her former marriage, and the ſolicitations at this time of ſo many powerful princes, crowded into her thoughts, and made her ſenſibly feel how humbling and diſreſpectful Elizabeth's propoſal was. She diſſembled, however, with the Engliſh reſident; and though ſhe declared, in ſtrong terms, what a degradation ſhe would deem this alliance, which brought along with it no advantage that could juſtify ſuch neglect of her own dignity, ſhe mentioned the earl of Leiceſter, notwithſtanding, in terms full of reſpect†.

Elizabeth, we may preſume, did not wiſh that the propoſal ſhould be received in any other manner. After the extraordinary marks ſhe had given of her own attachment to Leiceſter, and while he was ſtill in the very height of favour, it is not probable ſhe could think ſeriouſly of beſtowing him upon another. It was not her

* Camden, 549. † Keith, 252.

aim to perſuade, but only to amuſe Mary‡. Almoſt three years were elapſed ſince her return into Scotland; and though ſolicited by her ſubjects, and courted by the greateſt princes in Europe, ſhe had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. And if at this time the Engliſh queen could have engaged Mary to liſten to her propoſal in favour of Leiceſter, her power over this creature of her own would have enabled her to protract the negotiation at pleaſure; and by keeping her rival unmarried, ſhe would have rendered the proſpect of her ſucceſſion leſs acceptable to the Engliſh.

Leiceſter's own ſituation was extremely delicate and embarraſſing. To gain poſſeſſion of the moſt amiable woman of the age, to carry away this prize from ſo many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a ſubject much more conſiderable than him. He ſaw all theſe advantages, no doubt, and, in ſecret, they made their full impreſſion on him. But, without offending Elizabeth, he durſt not venture on the moſt diſtant diſcovery of his ſentiments, or take any ſtep towards facilitating his acquiſition of objects ſo worthy of deſire.

On the other hand, Elizabeth's partiality towards him, which ſhe was at no pains to conceal*, might inſpire him with hopes of attaining the ſupreme rank in a kingdom more illuſtrious than Scotland. Elizabeth had often declared that nothing but her reſolution to lead a ſingle life, and his being born her own ſubject, would have hindered her from chuſing the earl of Leiceſter for a huſband. Such conſiderations of prudence are, however, often ſurmounted by love; and Leiceſter might flatter himſelf, that the violence of her affection would at length triumph both over the maxims of policy and the ſcruples of pride. Theſe hopes induced him, now and then, to conclude the propoſal of his marriage with the Scottiſh queen to be a project for his deſtruction; and he imputed it to the malice of Cecil, who, under

‡ Melv. 104, 105. * Ibid. 93, 94. † Ibid. 101.

the ſpecious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary‡.

A treaty of marriage, propoſed by one queen who dreaded its ſucceſs; liſtened to by another, who was ſecretly determined againſt it; and ſcarcely deſired by the man himſelf, whoſe intereſt and reputation it was calculated, in appearance to promote; could not, under ſo many unfavourable circumſtances, be brought to a fortunate iſſue. Both Elizabeth and Mary continued, however, to act with equal diſſimulation. The former, notwithſtanding her fears of loſing Leiceſter, ſolicited warmly in his behalf. The latter, though ſhe began about this time to caſt her eyes upon another ſubject of England, did not at once venture finally to reject Elizabeth's favourite.

The perſon towards whom Mary began to turn her thoughts was Henry Stewart lord Darnly, eldeſt ſon of the earl of Lennox. That nobleman, having been driven out of Scotland under the regency of the duke of Chatelherault, had lived in baniſhment for twenty years. His wife, lady Margaret Douglas, was Mary's moſt dangerous rival in her claim upon the Engliſh ſucceſſion. She was the daughter of Margaret, the eldeſt ſiſter of Henry VIII. by the earl of Angus, whom that queen married after the death of her huſband James IV. In that age, the right and order of ſucceſſion was not ſettled with the ſame accuracy as at preſent. Time, and the deciſion of almoſt every caſe that can poſſibly happen, have at laſt introduced certainty into a matter, which naturally is ſubject to all the variety ariſing from the caprice of lawyers, guided by obſcure and often imaginary analogies. Lady Lennox, though born of a ſecond marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand-daughter, of Margaret. This was not the only advantage over Mary which the lady Lennox enjoyed. She was born in England; and by a maxim

‡ Melv. 101.

of law in that country, with regard to private inheritances, "whoever is not born in England, or at leaſt of parents who, at the time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in that kingdom*." This maxim, Hales, an Engliſh lawyer, produced in a treatiſe which he publiſhed at this time, and endeavoured to apply it to the right of ſucceſſion to the crown. In a private cauſe, theſe pretexts might have given riſe to a long and doubtful litigation; where a crown was at ſtake, ſuch nice diſputes and ſubtilties were to be avoided with the utmoſt care. If Darnly ſhould happen to contract an alliance with any of the powerful families in England, or ſhould publicly profeſs the proteſtant religion, theſe plauſible and popular topics might be ſo urged, as to prove fatal to the pretenſions of a foreigner and of a papiſt.

Mary was aware of all this; and, in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correſpondence with the family of Lennox. In the year 1562†, both the earl and the lady Margaret were taken into cuſtody by Elizabeth's orders, on account of their holding a ſecret correſpondence with the Scottiſh queen.

From the time that Mary became ſenſible of the difficulties which would attend her marrying a foreign prince, ſhe entered into a ſtill cloſer connexion with the earl of Lennox‡, and invited him to return into Scotland. This ſhe endeavoured to conceal from Elizabeth; but a tranſaction of ſo much importance did not eſcape the notice of that diſcerning princeſs. She obſerved, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottiſh affairs. She was pleaſed to ſee the pride of the Scottiſh queen ſtoop at laſt to the thoughts of taking a ſubject to her bed. Darnly was in no ſituation to excite her jealouſy or her fears. His father's eſtate lay in England, and by means of this pledge ſhe hoped to keep the negotiation entirely

* Carte, Hiſt. of Eng. vol. iii. 422. † Camd. 389.
‡ Ibid. 396.

in her own hands, to play the ſame game of artifice and delay which ſhe had planned out, if her recommendation of Leiceſter had been more favourably received.

As before the union of the two crowns, no ſubject of one kingdom could paſs into the other without the permiſſion of both ſovereigns; no ſooner did Lennox, under pretence of proſecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than he obtained it. Together with it, ſhe gave him letters, warmly recommending his perſon and cauſe to Mary's friendſhip and protection*. But at the ſame time, as it was her manner to involve all her tranſactions with regard to Scotland in ſome degree of perplexity and contradiction, ſhe warned Mary, that this indulgence of Lennox might prove fatal to herſelf, as his return could not fail of reviving the ancient animoſity between him and the houſe of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occaſioned for ſome time, a total interruption of all correſpondence between the two queens†. Mary was not a little alarmed at this; ſhe both dreaded the effects of Elizabeth's reſentment, and felt ſenſibly the diſadvantage of being excluded from a free intercourſe with England, where her ambaſſadors had, all along carried on, with ſome ſucceſs, ſecret negotiations, which increaſed the number of her partizans, and paved her way towards the throne. In order to remove the cauſes of the preſent difficulty, Melvil was ſent expreſs to the court of England. He found it no difficult matter to bring about a reconcilement; and ſoon re-eſtabliſhed the appearance, but not the confidence of friendſhip, which was all that had ſubſiſted, for ſome time, between the two queens.

During this negotiation, Elizabeth's profeſſions of love to Mary, and Melvil's replies in the name of his miſtreſs, were made in the language of the warmeſt and moſt cordial friendſhip. But what Melvil truly obſerves, with reſpect to Elizabeth, may be extended

* Keith, 255, 268. † Keith, 253. Melv. 83.

without injuſtice to both queens. "There was neither plain dealing nor upright meaning, but great diſſimulation, envy and fear‡.

Lennox, however, in conſequence of the licence which he had obtained, ſet out for Scotland, and was received by the queen, not only with the reſpect due to a nobleman, ſo nearly allied to the royal family, but treated with a diſtinguiſhed familiarity, which could not fail of inſpiring him with more elevated hopes. The rumour of his ſon's marriage to the queen began to ſpread over the kingdom; and the eyes of all Scotland, were turned upon him, as the father of their future maſter. The duke of Chatelherault was the firſt to take the alarm. He conſidered Lennox, as the ancient and hereditary enemy of the houſe of Hamilton; and, in his grandeur, ſaw the ruin of himſelf and his friends. But the queen interpoſed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences*.

The powerful family of Douglas no leſs dreaded Lennox's return, from an apprehenſion that he would wreſt the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchaſe their friendſhip, by allowing his lady's claim upon the earldom of Angus to drop†.

After theſe preliminary ſteps, Mary ventured to call a meeting of parliament. The act of forfeiture paſſed againſt Lennox in the year one thouſand five hundred and forty-five was repealed, and he was publicly reſtored to the honours and eſtate of his anceſtors‖.

The eccleſiaſtical tranſactions of this year were not conſiderable. In the aſſemblies of the church, the ſame complaints of the increaſe of idolatry, the ſame repreſentations concerning the poverty of the clergy, were renewed. The reply which the queen made to theſe, and her promiſes of redreſs, were more ſatisfying

‡ Melv 104. * Keith, 259. † Ibid. 268. Note (b.)
‖ See Append. No. IX.

to the proteſtants than any they had hitherto obtained†. But, notwithſtanding her declarations in their favour, they could not help harbouring many ſuſpicions concerning Mary's deſigns againſt their religion. She had never once conſented to hear any preacher of the reformed doctrine. She had abated nothing of her bigotted attachment to the Roman faith. The genius of that ſuperſtition, averſe at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated aſſurances of her reſolution to eſtabliſh the catholic church‖. She had induſtriouſly avoided every opportunity of ratifying the acts of parliament, one thouſand five hundred and ſixty, in favour of the Reformation. Even the protection which, ever ſince her return, ſhe had afforded the proteſtant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till ſhe ſhould take ſome final order in the matter of religion¶." The vigilant zeal of the preachers was inattentive to none of theſe circumſtances. The coldneſs of their principal leaders, who were at this time entirely devoted to the court, added to their jealouſies and fears. Theſe they uttered to the people, in language which they deemed ſuitable to the neceſſity of the times, and which the queen reckoned diſreſpectful and inſolent. In a meeting of the general aſſembly, Maitland publicly accuſed Knox of teaching ſeditious doctrine, concerning the right of ſubjects to reſiſt thoſe ſovereigns who treſpaſs againſt the duty which they owe to the people. Knox was not backward to juſtify what he had taught; and upon this general doctrine of reſiſtance, ſo juſt in its own nature, but ſo delicate in its application to particular caſes, there enſued a debate, which admirably diſplays the talents and character of both the diſputants; the acuteneſs of the former, embelliſhed with learning, but prone to ſubtlety; the vigorous under-

† Keith, 533, 539. ‖ Carte, vol. iii. 415.
¶ Keith, 504, 510.

ſtanding of the latter, delighting in bold ſentiments, and ſuperior to all fear*.

Two years had already been conſumed in fruitleſs negotiations concerning the marriage of the Scottiſh queen. Mary had full leiſure and opportunity to diſcern the fallacy and deceit of all Elizabeth's proceedings with reſpect to that affair. But, in order to ſet the real intentions of the Engliſh queen in a fair light, and to bring her to ſome explicit declaration of her ſentiments, Mary at laſt intimated to Randolph, that, on condition her right of ſucceſſion to the crown of England were publicly acknowledged, ſhe was ready to yield to the ſolicitations of his miſtreſs in behalf of Leceiſter ¶. Nothing could be farther than this from the mind and intention of Elizabeth. The right of ſucceſſion was a myſtery, which, during her whole reign, her jealouſy preſerved untouched and unexplained. She had promiſed, however, when ſhe firſt began to intereſt herſelf in the marriage of the Scottiſh queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

The facility with which lord Darnly obtained permiſſion to viſit the court of Scotland, was owing, in all probability, to that embarraſſment. From the time of Melvil's embaſſy, the counteſs of Lennox had warmly ſolicited this liberty for her ſon. Elizabeth was no ſtranger to the ambitious hopes with which that young nobleman flattered himſelf. She had received repeated advices from her miniſters of the ſentiments which Mary began to entertain in his favour‡. It was entirely in her power to prevent his ſtirring out of London. In the preſent conjuncture, however, nothing could be of more advantage to her than Darnly's journey into Scotland. She had already brought one actor upon the ſtage, who, under her management, had, for a long time amuſed the Scottiſh queen. She hoped no

* Knox, 349. ¶ Keith, 269.
‡ Keith. 259, 261, 266.

leſs abſolutely to direct the motions of Darnly, who was likewiſe her ſubject; and again to involve Mary in all the tedious intricacies of negotiation. Theſe motives determined Elizabeth and her miniſters to yield to the ſolicitations of the lady Lennox.

But this deep-laid ſcheme was in a moment diſconcerted. Such unexpected events, as the fancy of poets aſcribes to love, are at ſome times really produced by that paſſion. An affair which had been the object of ſo many political intrigues, and had moved and intereſted ſo many princes, was at laſt decided by the ſudden liking of two young perſons. Lord Darnly was at this time in the firſt bloom and vigour of youth. In beauty and gracefulneſs of perſon he ſurpaſſed all his contemporaries; he excelled eminently in thoſe arts which add eaſe and elegance to external form, and which enabled it not only to dazzle, but to pleaſe. Mary was of an age, and of a temper, to feel the full power of theſe accompliſhments. The impreſſion which lord Darnly made upon her was viſible from the time of their firſt interview. The whole buſineſs of the court was to amuſe and entertain this illuſtrious gueſt †; and in all thoſe ſcenes of gaiety, Darnly, whoſe qualifications were altogether ſuperficial and ſhowy, appeared to great advantage. His conqueſt of the queen's heart became complete; and inclination now prompted her to conclude a marriage, the firſt thoughts of which had been ſuggeſted by conſiderations merely political.

Elizabeth contributed, and perhaps not without deſign, to increaſe the violence of this paſſion. Soon after Darnly's arrival in Scotland, ſhe, in return to that meſſage whereby Mary had ſignified her willingneſs to accept of Leiceſter, gave an anſwer, in ſuch terms as plainly unravelled her original intention in that intrigue ¶. She promiſed, if the Scottiſh queen's marriage with Leiceſter ſhould take place, to advance him to great honours; but with regard to Mary's title to

† Knox, 369. ¶ Keith, 270. App. 158.

the Engliſh ſucceſſion, ſhe would neither ſuffer any legal inquiry to be made concerning it, nor permit it to be publicly recogniſed, until ſhe herſelf ſhould declare her reſolution never to marry. Mary, notwithſtanding Elizabeth's former promiſes, had reaſon to expect every thing contained in this reply; her high ſpirit, however, could not bear with patience ſuch a cruel diſcovery of the contempt, the artifice, and mockery, with which, under the vail of friendſhip, ſhe had been ſo long abuſed. She burſt into tears of indignation, and expreſſed, with the utmoſt bitterneſs, her ſenſe of that diſingenuous craft which had been employed to deceive her‖.

The natural effect of this indignation was to add to the impetuoſity with which ſhe purſued her own ſcheme. Blinded by reſentment as well as by love, ſhe obſerved no defects in the man ſhe had choſen; and began to take the neceſſary ſteps towards accompliſhing her deſign, with all the impatience natural to thoſe paſſions.

As Darnly was ſo nearly related to the queen, the canon law made it neceſſary to obtain the pope's diſpenſation before the celebration of the marriage. For this purpoſe ſhe early ſet on foot a negotiation with the court of Rome†.

She was buſy, at the ſame time, in procuring the conſent of the French king and his mother. Having communicated her deſign, and the motives which determined her choice, to Caſtelnau the French ambaſſador, ſhe employed him as the moſt proper perſon, to bring his court to fall in with her views. Among other arguments to this purpoſe, Caſtelnau mentioned Mary's attachments to Darnly, which he repreſented to be ſo violent and deep-rooted, that it was no longer in her own power to break off the match‡. Nor were the French miniſters backward in encouraging Mary's paſſion. Her pride would never ſtoop to an alliance with a ſubject of France. By this choice they were delivered from the apprehenſion of a match with any of the Auſtrian princes, as well as the danger of too cloſe an union with Eli-

‖ Keith, Append. 159. † Camd. 396. ‡ Caſteln. 464.

zabeth; and as Darnly profeſſed the Roman catholic religion, this ſuited the bigotted ſchemes which that court adopted.

While Mary was endeavouring to reconcile foreign courts to a meaſure which ſhe had ſo much at heart; Darnly and his father, by their behaviour, were raiſing up enemies at home to obſtruct it. Lennox had, during the former part of his life, diſcovered no great compaſs of abilities or political wiſdom; and appears to have been a man of a weak underſtanding and violent paſſions. Darnly was not ſuperior to his father in underſtanding, and all his paſſions were ſtill more impetuous*. To theſe he added that inſolence, which the advantage of external form, when accompanied with no quality more valuable, is apt to inſpire. Intoxicated with the queen's favour, he began already to aſſume the haughtineſs of a king, and to put on that imperious air, which majeſty itſelf can ſcarce render tolerable.

It was by the advice, or at leaſt with the conſent of Murray and his party, that Lennox had been invited into Scotland†: and yet, no ſooner did he acquire a firm footing in that kingdom, than he began to enter into ſecret cabals with thoſe noblemen who were known to be avowed enemies to Murray, and with regard to religion, to be either neutrals or favourites of popery‡. Darnly, ſtill more imprudent, allowed ſome raſh expreſſions concerning thoſe favours which the queen's bounty had conferred upon Murray to eſcape him§.

But, above all theſe, the familiarity which Darnly cultivated with David Rizio, contributed to increaſe the ſuſpicion and diſguſt of the nobles.

The low birth and indigent condition of this man placed him in a ſtation in which he ought naturally to have remained unknown to poſterity. But what fortune called him to act and to ſuffer in Scotland, obliges hiſtory to deſcend from its dignity, and to record his adventures. He was the ſon of a muſician in Turin, and

* Keith, 272, 273. † Knox, 367. Keith, 274.
‡ Keith, 272. § Keith, 274.

having accompanied the Piedmonteſe ambaſſador into Scotland, gained admiſſion into the queen's family by his ſkill in muſic. As his ſervile condition had taught him ſuppleneſs of ſpirit and inſinuating manners, he quickly crept into the queen's favour, and her French ſecretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of conſequence. The whole train of ſuitors and expectants, who have an extreme ſagacity in diſcovering the paths which lead moſt directly to ſucceſs, applied to him. His recommendations were obſerved to have great influence over the queen, and he grew to be conſidered not only as a favourite, but as a miniſter. Nor was Rizio careful to abate that envy which always attends ſuch an extraordinary and rapid change of fortune. He ſtudied, on the contrary, to diſplay the whole extent of his favour. He affected to talk often and familiarly with the queen in public. He equalled the greateſt and moſt opulent ſubjects, in richneſs of dreſs, and in the number of his attendants. He diſcovered, in all his behaviour, that aſſuming inſolence, with which unmerited proſperity inſpires an ignoble mind. It was with the utmoſt indignation that the nobles beheld the power; it was with the utmoſt difficulty that they tolerated the arrogance, of this unworthy minion. Even in the queen's preſence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exaſperated the Scots. They conſidered him, and not without reaſon, as a dangerous enemy to the proteſtant religion, and ſuſpected that he held, for this purpoſe, a ſecret correſpondence with the court of Rome *.

It was Darnly's misfortune to fall under the management of this man, who, by flattery and aſſiduity, eaſily gained on his vanity and inexperience. Rizio's whole influence on the queen was employed in his behalf, and contributed, without doubt, towards eſtabliſh-

* Buchan. 340. Melv. 107.

ing him more firmly in her affections†. But whatever benefit Darnly might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was expoſed, on account of his familiarity with ſuch an upſtart.

Though Darnly daily made progreſs in the queen's affections, ſhe conducted herſelf, however, with ſuch prudent reſerve, as to impoſe on Randolph the Engliſh reſident, a man otherwiſe ſhrewd and penetrating. It appears from his letters at this period, that he entertained not the leaſt ſuſpicion of the intrigue which was carrying on; and gave his court repeated aſſurances, that the Scottiſh queen had no deſign of marrying Darnly‡. In the midſt of this ſecurity, Mary deſpatched Maitland to ſignify her intention to Elizabeth, and to ſolicit her conſent to the marriage with Darnly. This embaſſy was the firſt thing which opened the eyes of Randolph.

Elizabeth affected the greateſt ſurpriſe at this ſudden reſolution of the Scottiſh queen, but without reaſon. The train was laid by herſelf, and ſhe had no cauſe to wonder when it took effect. She expreſſed at the ſame time her diſapprobation of the match, in the ſtrongeſt terms; and pretended to foreſee many dangers and inconveniencies ariſing from it, to both kingdoms. But this too was mere affectation, Mary had often and plainly declared her reſolution to marry. It was impoſſible ſhe could make any choice more inoffenſive. The danger of introducing a foreign intereſt into Britain which Elizabeth had ſo juſtly dreaded, was entirely avoided. Darnly, though allied to both crowns, and poſſeſſed of lands in both kingdoms, could be formidable to neither. It is evident from all theſe circumſtances, that Elizabeth's apprehenſions of danger could not poſſibly be ſerious; and that in all her violent declarations againſt Darnly, there was much more of grimace than of reality *.

† Melv. 111. ‡ Keith, 273, and Append. 159.

* Even the hiſtorians of that age acknowledge, that the marriage of the Scottiſh queen with a ſubject was far

There were not wanting, however, political motives of ſuch weight, to induce that wiſe princeſs to put on the appearance of great diſpleaſure. Mary intimidated by this, might perhaps delay her marriage; which Elizabeth deſired to obſtruct with a weakneſs that little ſuited the dignity of her mind and the elevation of her character. Beſides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and by declaring her diſſatisfaction with Mary's conduct, ſhe hoped to alarm that party in Scotland, which was attached to the Engliſh intereſt, and to encourage ſuch of the nobles as ſecretly diſapproved the match openly to oppoſe it. The ſeeds of diſcord would by this means be ſcattered through that kingdom. Inteſtine commotions might ariſe. Amidſt theſe Mary could form none of thoſe dangerous ſchemes to which the union of her people might have prompted her. She would become the umpire between Mary and her contending ſubjects; and England might look on with ſecurity, while a ſtorm, which ſhe had raiſed, waſted the only kingdom which could poſſibly diſturb its peace.

In proſecution of this ſcheme, ſhe laid before her privy council the meſſage from the Scottiſh queen, and conſulted them with regard to the anſwer ſhe ſhould return. Their determination, it is eaſy to conceive, was perfectly conformable to her ſecret views. They drew up a remonſtrance againſt the intended match, full of the imaginary dangers with which that event threatened the kingdom†. Nor did ſhe think it enough to ſignify her diſapprobation of the meaſure, either by Maitland,

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from being diſagreeable to Elizabeth. Knox, 369, 373. Buchan. 339. Caſtelnau, who at that time was well acquainted with the intrigues of both the Britiſh courts, aſſerts, upon grounds of great probability, that the match was wholly Elizabeth's own work: Caſteln. 462. and that ſhe rejoiced at the accompliſhment of it, appears from the letters of her own ambaſſadors. Keith, 280, 288.

† Keith, 274. See Append. No. X.

Mary's ambaſſador, or by Randolph, her own reſident in Scotland; in order to add more dignity to the farce which ſhe choſe to act, ſhe appointed ſir Nicholas Throkmorton her ambaſſador extraordinary. She commanded him to declare, in the ſtrongeſt terms, her diſſatisfaction with the ſtep which Mary propoſed to take; and at the ſame time to produce the determination of the privy council, as an evidence that the ſentiments of the nation were not different from her own. Not long after, ſhe confined lady Lennox as a priſoner, firſt in her own houſe, and then ſent her to the Tower*.

Intelligence of all this reached Scotland before the arrival of the Engliſh ambaſſador. In the firſt tranſports of her indignation, Mary reſolved no longer to keep any meaſures with Elizabeth; and ſent orders to Maitland, who accompanied Throkmorton, to return inſtantly to the Engliſh court, and in her name to declare to Elizabeth, that after having been amuſed ſo long to ſo little purpoſe; after having been fooled, and impoſed on ſo groſsly by her artifices; ſhe was now reſolved to gratify her own inclination, and to aſk no other conſent, but that of her own ſubjects, in the choice of an huſband. Maitland, with his uſual ſagacity, foreſaw all the effects of ſuch a raſh and angry meſſage, and ventured rather to incur the diſpleaſure of his miſtreſs, by diſobeying her commands, than to be made the inſtrument of tearing aſunder ſo violently the few remaining ties which ſtill linked together the two queens†.

Mary herſelf ſoon became ſenſible of her error. She received the Engliſh ambaſſador with reſpect: juſtified her own conduct with decency; and though unalterable in her reſolution, ſhe affected a wonderful ſolicitude to reconcile Elizabeth to the meaſure; and even pretended, out of complaiſance towards her, to put off the conſummation of the marriage for ſome months‡. It is probable, however, that the want of the pope's diſpenſation, and the proſpect of gaining the conſent of her own ſubjects, were the real motives of this delay.

* Keith, Append. 161. † Ibid. 160. ‡ Keith, 278.

This conſent Mary laboured with the utmoſt induſtry to obtain. The earl of Murray was the perſon in the kingdom whoſe concurrence was of the greateſt importance; but ſhe had reaſon to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affections began gradually to be eſtranged from him. Darnly, Athol, Rizio, all the court favourites, combined againſt him. His ambitious ſpirit could not brook this diminution of his power, which his former ſervices had ſo little merited. He retired into the country, and gave way to rivals, with whom he was unable to contend‖. The return of the earl of Bothwell, his avowed enemy, who had been accuſed of a deſign upon his life, and who had reſided for ſome time in foreign countries, obliged him to attend to his own ſafety. No intreaty of the queen could perſuade him to a reconcilement with that nobleman. He inſiſted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durſt not appear in oppoſition to a man, who came to the place of trial attended by five thouſand of his followers on horſeback. He was once more conſtrained to leave the kingdom; but, by the queen's command, the ſentence of outlawry, which is incurred by non-appearance, was not pronounced againſt him*.

Mary, ſenſible, at the ſame time, of how much importance it was to gain a ſubject ſo powerful and ſo popular as the earl of Murray, invited him back to court, and received him with many demonſtrations of reſpect and confidence. At laſt ſhe deſired him to ſet an example to her other ſubjects, by ſubſcribing a paper containing a formal approbation of her marriage with Darnly. Murray had many reaſons to heſitate, and even to withhold his aſſent. Darnly had not only undermined his credit with the queen, but diſcovered, on every occaſion, a rooted averſion to his perſon. By conſenting to his e-

‖ Keith, 272, 274. Append. 159.
* Keith, Append. 160.

levation to the throne, he would give him such an accession of dignity and power, as no man willingly bestows on an enemy. The unhappy consequences which might follow upon a breach with England were likewise of considerable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the system of national politics had been brought about. A league with England had been established; and he could not think of sacrificing, to a rash and youthful passion, an alliance of so much utility to the kingdom; and which he and the other nobles were bound, by every obligation, to maintain†. Nor was the interest of religion forgotten on this occasion. Mary, though surrounded by protestant counsellors, had found means to hold a dangerous correspondence with foreign catholics. She had even courted the pope's protection, who had sent her a subsidy of eight thousand crowns‡. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to set the queen's conduct in the most favourable light, yet her obstinate adherence to her own religion could not fail of alarming him, and by her resolution to marry a papist, the hope of reclaiming her, by an union with a protestant, was for ever cut off§. Each of these considerations had its influence on Murray, and all of them determined him to decline complying at that time with the queen's request.

The convention of nobles, which was assembled a few days after, discovered a greater disposition to gratify the queen. Many of them, without hesitation, expressed their approbation of the intended match; but as others were startled at the same dangers which had alarmed Murray, or were influenced by his example to refuse their consent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter*.

† Keith, 169. ‡ Ibid 295. Melv. 114.
§ Keith, Append. 160. * Keith, 283. Knox, 373.

Mean while Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The oppoſition ſhe had hitherto met with, and the many contrivances employed to thwart and diſappoint her inclination, produced their uſual effect on her heart, they confirmed her paſſion, and increaſed its violence. The ſimplicity of that age imputed an affection ſo exceſſive to the influence of witchcraft *. It was owing, however, to no other charm, than the irreſiſtible power of youth and beauty over a young and tender heart. Darnly grew giddy with his proſperity. Flattered by the love of a queen, and the applauſe of many among her ſubjects, his natural haughtineſs and inſolence became inſupportable, and he could no longer bear advice, far leſs contradiction. Lord Ruthven, happening to be the firſt perſon who informed him that Mary, in order to ſoothe Elizabeth, had delayed for ſome time creating him duke of Albany, he, in a frenzy of rage, drew his dagger, and attempted to ſtab him †. It required all Mary's attention, to prevent his falling under that contempt to which ſuch behaviour deſervedly expoſed him.

In no ſcene of her life was ever Mary's own addreſs more remarkably diſplayed. Love ſharpened her invention, and made her ſtudy every method of gaining her ſubjects. Many of the nobles ſhe won by her addreſs, and more by her promiſes. On ſome ſhe beſtowed lands, to others ſhe gave new titles of honour ‡. She even condeſcended to court the proteſtant clergy; and having invited three of their ſuperintendants to Stirling, ſhe declared, in ſtrong terms, her reſolution to protect their religion, expreſſed her willingneſs to be preſent at a conference upon the points in doctrine which were diſputed between the proteſtants and papiſts, and went ſo far as to ſhew ſome deſire to hear ſuch of their preachers as were moſt remarkable for their moderation §. By theſe arts the queen gained wonderfully upon the peo-

* Keith, 283. † Ibid. Append. 160.
‡ Keith, 283. § Knox, 373.

ple, who, unleſs their jealouſy be raiſed by repeated injuries, are always ready to view the actions of their ſovereign with an indulgent eye.

On the other hand, Murray and his aſſociates were plainly the dupes of Elizabeth's policy. She talked in ſo high a ſtrain of her diſpleaſure at the intended match; ſhe treated lady Lennox with ſo much rigour; ſhe wrote to the Scottiſh queen in ſuch ſtrong terms; ſhe recalled the earl of Lennox and his ſon in ſuch a peremptory manner, and with ſuch ſevere denunciations of her vengeance if they ſhould preſume to diſobey †; that all theſe expreſſions of averſion fully perſuaded them of her ſincerity. This belief fortified their ſcruples with reſpect to the match, and encouraged them to oppoſe it. They began with forming among themſelves bonds of confederacy and mutual defence; they entered into a ſecret correſpondence with the Engliſh reſident, in order to ſecure Elizabeth's aſſiſtance when it ſhould become needful ‖; they endeavoured to fill the nation with ſuch apprehenſions of danger as might counterbalance the influence of thoſe arts which the queen had employed.

Beſides theſe intrigues, there were ſecretly carried on by both parties dark deſigns of a more criminal nature, and more ſuited to the ſpirit of the age. Darnly, impatient of that oppoſition which he imputed wholly to Murray, and reſolving at any rate to get rid of ſuch a powerful enemy, formed a plot to aſſaſſinate him, during the meeting of the convention at Perth. Murray, on his part, deſpairing of preventing the marriage by any other means, had, together with the duke of Chatelherault, and the earl of Argyll, concerted meaſures for ſeizing Darnly, and carrying him a priſoner into England.

If either of theſe conſpiracies had taken effect, this convention might have been attended with conſequences extremely tragical; but both were rendered

† Keith, 285, 286. ‖ Ibid. 289, 292, 298.

abortive, by the vigilance or good fortune of thoſe againſt whom they were formed. Murray, being warned of his danger by ſome retainers to the court, who ſtill favoured his intereſt, avoided the blow by not going to Perth. Mary receiving intelligence of Murray's enterpriſe, retired with the utmoſt expedition, along with Darnly, to the other ſide of Forth. Conſcious, on both ſides, of guilt, and inflamed with reſentment, it was impoſſible they could either forget the violence which themſelves had meditated, or forgive the injuries intended againſt them. From that moment all hope of reconcilement was at an end, and their mutual enmity burſt out with every ſympton of implacable hatred *.

* The reality of theſe two oppoſite conſpiracies has given occaſion to many diſputes and much contradiction. Some deny that any deſign was formed againſt the life of Murray; others call in queſtion the truth of the conſpiracy againſt Darnly. There ſeem, however to be plauſible reaſons for believing that there is ſome foundation for what has been aſſerted with regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumſtances. The following arguments render it probable that ſome violence was intended againſt Murray:

I. This is poſitively aſſerted by Buchanan, 341. 2. The Engliſh reſident writes to Cecil, that Murray was aſſuredly informed that a deſign was formed of murdering him at Perth, and mentions various circumſtances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impoſſible that he could have written in this ſtrain to ſuch a diſcerning miniſter. Keith, 287. 3. Murray himſelf conſtantly and publicly perſiſted in affirming that ſuch a deſign was formed againſt his life. Keith, Append. 108. He was required by the queen to tranſmit in writing an account of the conſpiracy which he pretended had been formed againſt his life. This he did accordingly; but "when it was

On Mary's return to Edinburgh, ſhe ſummoned her vaſſals by proclamation, and ſolicited them by her letters, to repair thither in arms, for the protection of her perſon againſt her foreign and domeſtic enemies *. She was obeyed with all the promptneſs and alacrity with which ſubjects run to defend a mild and popular adminiſtration. This popularity, however, ſhe owed in a great meaſure to Murray, who had directed her adminiſtration with great prudence. But the crime of oppoſing her marriage obliterated the memory of his

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brought to her majeſty by her ſervants ſent for that purpoſe, it appears, *be* her highneſs and her council, that his purgation in that behalf was not ſo ſufficient as the matter required." Keith, Append. 109. He was therefore ſummoned to appear within three days before the queen in Holyrood-houſe; and in order to encourage him to do ſo, a ſafe conduct was offered to him. Ibid. Though he had once conſented to appear, he afterwards declined to do ſo. But whoever conſiders Murray's ſituation, and the character of thoſe who directed Mary's councils at that time, will hardly deem it a deciſive proof of his guilt, that he did not chuſe to riſk his perſon to ſuch ſecurity. 4. The furious paſſions of Darnly, the fierceneſs of his reſentment, which ſcrupled at no violence, and the manners of the age, rendered the imputation of ſuch a crime leſs improbable

II. That Murray and his aſſociates had reſolved to ſeize Darnly in his return from Perth, appears with ſtill greater certainty; 1. From the expreſs teſtimony of Melvil, 112.; although Buchanan, p. 341. and Knox, p. 377. affect without reaſon to repreſent this as an idle rumour. 2. The queſtion was put to Randolph, Whether the governor of Berwick would receive Lennox and his ſon, if they were delivered at that place? His anſwer was, "that they would not refuſe their own, *i. e.* their own ſubjects, in whatſoever ſort they come unto us, *i. e.* whether they had returned to

* Keith, 298.

former ſervices; and Mary, impatient of contradiction, and apt to conſider thoſe who diſputed her will as enemies to her perſon, determined to let him feel the whole weight of her vengeance. For this purpoſe ſhe ſummoned him to appear before her upon a ſhort warning, to anſwer to ſuch things as ſhould be laid to his charge ‡. At this very time Murray, and the lords

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England voluntarily, as they had been required, or were brought thither by force." This plainly ſhews, that ſome ſuch deſign was in hand, and Randolph did not diſcourage it by the anſwer which he gave. Keith, 290. 3. The precipitation with which the queen retired, and the reaſon ſhe gave for this ſudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottiſh nobles, and among theſe the earls of Argyll and Rothes, who were themſelves privy to the deſign, aſſert the reality of the conſpiracy. Good. vol. ii. 358.

All theſe circumſtances render the truth of both conſpiracies probable. But we may obſerve how far this proof, though drawn from public records, falls ſhort, on both ſides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conſpiracy againſt Murray, differ widely in almoſt every circumſtance. The accounts of the attempt upon Darnly are not more conſiſtent. Melvil alleges that the deſign of the conſpirators was to carry Darnly a priſoner into England; the propoſal made to Randolph agrees with this. Randolph ſays, that they intended to carry the queen to St. Andrews, and Darnly to Caſtle Campbell. The lords, in their declaration, affirm the deſign of the conſpirators to have been to murder Darnly and his father, to confine the queen in Lochleven during life, and to uſurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the ſlanders of a party, and the lie of the day. The

who adhered to him, were aſſembled at Stirling, to deliberate what courſe they ſhould hold in ſuch a difficult conjuncture. But the current of popular favour ran ſo ſtrongly againſt them, and notwithſtanding ſome fears and jealouſies, there prevailed in the nation ſuch a general diſpoſition to gratify the queen in a matter which ſo nearly concerned her, that, without coming to any other concluſion, than to implore the queen of England's protection, they put an end to their ineffectual conſultations, and returned every man to his own houſe.

Together with this diſcovery of the weakneſs of her enemies, the confluence of her ſubjects from all corners of the kingdom afforded Mary an agreeable proof of her own ſtrength. While the queen was in this proſperous ſituation, ſhe determined to bring to a period an affair which had ſo long engroſſed her heart and occupied her attention. On the twenty-ninth of July, 1565, ſhe married Stewart lord Darnly. The ceremony was performed in the queen's chapel, according to the rites of the Romiſh church; the pope's bull diſpenſing with their marriage having been previouſly obtained *. She iſſued at the ſame time proclamations, conferring

declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things aſſerted in it are evidently falſe or exaggerated. Let Murray and his confederates be as ambitious as we can ſuppoſe, they muſt have had ſome pretences, and plauſible ones too, before they could venture to impriſon their ſovereign for life, and to ſeize the reins of government; but, at that time, the queen's conduct had afforded no colourable excuſe for proceeding to ſuch extremities. It is likewiſe remarkable, that in all the proclamations againſt Murray, of which ſo many are publiſhed in Keith, Appendix 108, &c. neither the violent attempt upon Darnly, nor that which he is alleged to have formed againſt the queen herſelf, are ever once mentioned.

* Keith, 307.

the title of king of Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen †. Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to chuse a husband without consent of parliament, was, in that age a matter of some dispute ‡, that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis II. indeed bore the same title. It was not, however, the gift of the queen, but of the nation; and the consent of parliament was obtained before he ventured to assume it. Darnly's condition, as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But the queen possessed so entirely the confidence of her subjects, that, notwithstanding all the clamours of the malecontents, no symptoms of general discontent appeared on that account.

Even amidst the scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malecontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and upon his non-appearance the rigour of justice took place, and he was declared an out-law §. At the same time the queen set at liberty lord Gordon, who ever since his father's insurrection in the year 1562, had been detained a prisoner; she recalled the earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into Scotland. The first and

† Anderson, i. 33. See Append. No. XI.
‡ Buchan. 341. § Keith. 309. 320.

laſt of theſe were among the moſt powerful ſubjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families, and the author of their own ſufferings. This common hatred became the foundation of the ſtricteſt union with the queen, and gained them an aſcendant over all her councils. Murray himſelf conſidered this confederacy with his avowed enemies as a more certain indication than any meaſure ſhe had yet taken, of her inexorable reſentment.

The malecontents had not yet openly taken up arms*. But the queen having ordered her ſubjects to march againſt them, they were driven to the laſt extremity. They found themſelves unable to make head againſt the numerous forces which Mary had aſſembled; and fled into Argyleſhire, in expectation of aid from Elizabeth, to whom they had ſecretly deſpatched a meſſenger, in order to implore her immediate aſſiſtance ¶.

Mean while, Elizabeth endeavoured to embarraſs Mary, by a new declaration of diſguſt at her conduct. She blamed both her choice of lord Darnly, and the precipitation with which ſhe had concluded the marriage. She required Lennox and Darnly, whom ſhe ſtill called her ſubjects, to return into England; and at the ſame time ſhe warmly interceded in behalf of Murray, whoſe behaviour ſhe repreſented to be not

* After their fruitleſs conſultation in Stirling, the lords retired to their own houſes. Keith, 304. Murray was ſtill at St. Andrews on July 22. Keith, 306. By the places of rendezvous appointed for the inhabitants of the different counties, Auguſt 4, it appears that the queen's intention was to march into Fife, the county into which Murray, Rothes, Kirkaldie, and other chiefs of the malecontents reſided. Keith, 310. Their flight into the weſt, Keith, 312. prevented this expedition, and the former rendezvous was altered. Keith, 310.

¶ Keith, 312. Knox, 380.

only innocent but laudable. This meſſage, ſo mortifying to the pride of the queen, and ſo full of contempt for her huſband, was rendered ſtill more inſupportable by the petulant and ſaucy demeanour of Tamworth, the perſon who delivered it ‖. Mary vindicated her own conduct with warmth, but with great ſtrength of reaſon; and rejected the interceſſion in behalf of Murray, not without ſigns of reſentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom §.

She did not, on that account, intermit in the leaſt the ardour with which ſhe purſued Murray and his adherents *. They now appeared openly in arms: and having received a ſmall ſupply in money from Elizabeth †, were endeavouring to raiſe their followers in the weſtern counties. But Mary's vigilance hindered them from aſſembling in any conſiderable body. All her military operations at that time were concerted with wiſdom, executed with vigour, and attended with ſucceſs. In order to encourage her troops, ſhe herſelf, marched along with them, rode with loaded piſtols ‡, and endured all the fatigues of war with admirable fortitude. Her alacrity inſpired her forces with an invincible reſolution, which, together with their ſuperiority in number, deterred the malecontents from facing them in the field; but having artfully paſſed the queen's army, they marched with the utmoſt precipitation to Edinburgh, and endeavoured to rouſe the inhabitants of that city to arms. The queen did not ſuffer them to remain long unmoleſted; and on her approach, they were forced to abandon that

‖ Camb. 398. § Keith, Append. 99.

* The moſt conſiderable perſons who joined Murray, were, the duke of Chatelherault, the earls of Argyll, Glencairn, Rothes; lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pittarrow, Comptroller, and the tutor of Pitcur. Knox, 382.

† Knox, 380. ‡ Keith, Append. 164.

place, and retire in confuſion towards the weſtern borders*.

As it was uncertain, for ſome time, what route they had taken, Mary employed that interval in proceeding for the ſecurity of the counties in the heart of the kingdom. She ſeized the places of ſtrength which belonged to the rebels; and obliged the conſiderable barons in thoſe ſhires which ſhe moſt ſuſpected to join in aſſociations for her defence†. Having thus left all the country behind her in tranquillity, ſhe, with an army eighteen thouſand ſtrong, marched towards Dumfries, where the rebels then were. During their retreat, they had ſent letters to the queen, from almoſt every place where they halted, full of ſubmiſſion, and containing various overtures towards an accommodation. But Mary, who determined not to let ſlip ſuch a favourable opportunity of cruſhing the mutinous ſpirit of her ſubjects, rejected them with diſdain. As ſhe advanced, the malecontents retired. And, having received no effectual aid from Elizabeth ‡, they deſpaired of any other means of ſafety, fled into England, and put themſelves under the protection of the earl of Bedford warden of the marches.

Nothing, which Bedford's perſonal friendſhip for Murray could ſupply, was wanting to render their retreat agreeable. But Elizabeth herſelf treated them with extreme neglect. She had fully gained her end, and, by their means, had excited ſuch diſcord and jealouſies among the Scots, as would, in all probability, long diſtract and weaken Mary's councils. Her buſineſs now was to ſave appearances, and to juſtify herſelf to the miniſters of France and Spain, who accuſed her of fomenting the troubles in Scotland by her intrigues. The expedient ſhe contrived for her vindication ſtrongly diſplays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray, and Hamilton abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, in-

* Keith, 315. † Ibid. 113.
‡ See Append. No. XII. XIII.

ſtead of meeting with that welcome reception which was due to men, who, out of confidence in her promiſes, and in order to forward her deſigns, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly conſented to acknowledge, in the preſence of the French and Spaniſh ambaſſadors, that Elizabeth had given them no encouragement to take arms. No ſooner did they make this declaration, than ſhe aſtoniſhed them with this reply: "You have declared the truth; I am far from ſetting an example of rebellion to my own ſubjects, by countenancing thoſe who rebel againſt their lawful prince. The treaſon, of which you have been guilty, is deteſtable; and as traitors I baniſh you from my preſence*." Notwithſtanding this ſcene of farce and of falſehood, ſo diſhonourable to all the perſons who acted a part in it, Elizabeth permitted the malecontents peaceably to reſide in her dominions, ſupplied them ſecretly with money, and renewed her ſolicitations with the Scottiſh queen in their favour†.

The advantage ſhe had gained over them did not ſatisfy Mary; ſhe reſolved to follow the blow, and to prevent a party, which ſhe dreaded, from ever recovering any footing in the nation. With this view ſhe called a meeting of parliament, and in order that a ſentence of forfeiture might be legally pronounced againſt the baniſhed lords, ſhe ſummoned them, by public proclamation, to appear before it‡.

The duke of Chatelherault, on his humble application, obtained a ſeparate pardon; but not without difficulty, as the king violently oppoſed it. He was obliged, however, to leave the kingdom, and to reſide ſome time in France§

The numerous forces which Mary brought into the field, the vigour with which ſhe acted, and the length of time ſhe kept them in arms, reſemble the efforts of a prince with revenues much more conſiderable than thoſe

* Melv. 112. † Knox, 389. ‡ Keith, 330.
§ Knox, 389.

which ſhe poſſeſſed. But armies were then levied and maintained by princes at ſmall charge. The vaſſal followed his ſuperior, and the ſuperior attended the monarch, at his own expence. Six hundred horſemen, however, and three companies of foot, beſides her guards, received regular pay from the queen. This extraordinary charge, together with the diſburſements occaſioned by her marriage, exhauſted a treaſury which was far from being rich. In this exigency, many devices were fallen upon for raiſing money. Fines were levied on the towns of St. Andrews, Perth, and Dundee, which were ſuſpected of favouring the malecontents. An unuſual tax was impoſed on the boroughs throughout the kingdom; and a great ſum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourſe to delays, and ſtarted difficulties in order to evade it. Theſe Mary conſtrued to be acts of avowed diſobedience, and inſtantly committed ſeveral of them to priſon. But this ſeverity did not ſubdue the undaunted ſpirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the ſuperiority of the town of Leith, by which ſhe obtained a conſiderable ſum of money*. The thirds of eccleſiaſtical benefices proved another ſource whence the queen derived ſome ſupply. About this time we find the proteſtant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhauſted a great part of that fund which was appropriated for their maintenance†.

The aſſemblies of the church were not unconcerned ſpectators of the commotions of this turbulent year. In the meeting June twenty-fourth, previous to the queen's marriage, ſeveral of the malecontent nobles were preſent, and ſeem to have had great influence on its deciſions. The high ſtrain in which the aſſembly addreſſed the queen can be imputed only to thoſe fears and jealouſies with regard to religion which they endeavoured

* Knox, 383, 386. † Maitl. Hiſt. of Edinburgh, 17.

to infuſe into the nation. The aſſembly complained, with ſome bitterneſs, of the ſtop which had been put to the progreſs of the Reformation by the queen's arrival in Scotland; they required not only the total ſuppreſſion of the popiſh worſhip throughout the kingdom, but even in the queen's own chapel; and beſides the legal eſtabliſhment of the proteſtant religion, they demanded that Mary herſelf ſhould publicly embrace it. The queen after ſome deliberation, replied, that neither her conſcience nor her intereſt would permit her to take ſuch a ſtep. The former would for ever reproach her for a change which proceeded from no inward conviction, the latter would ſuffer by the offence which her apoſtacy muſt give to the king of France and her other allies on the continent *.

It is remarkable, that the proſperous ſituation of the queen's affairs during this year began to work ſome change in favour of her religion. The earls of Lennox Athol, and Caſſils, openly attended maſs; ſhe herſelf afforded the catholics a more avowed protection than formerly; and, by her permiſſion ſome of the ancient monks ventured to preach publicly to the people †.

* Knox, 374, 376. † Ibid. 389, 390.

THE HISTORY OF SCOTLAND.

BOOK FOURTH.

CONTENTS.

The conduct of Queen Mary to the exiled nobles. To Darnly. Rizio. His murder. The Queen's confinement. Her Escape. The flight of the conspirators. Imprudence of Darnly. Bothwell. Birth of James VI. Attachment of the English Parliament to Mary's title. Perplexity and address of Elizabeth. Aversion of the Queen of Scotland to Darnly. Church Affairs. Darnly's sickness. His murder. His character. Bothwell accused of his death. Trial and acquittal of Bothwell. A Parliament. The Queen carried to Dunbar. Her marriage to Bothwell. Public disgust. Combination of the nobles. An accommodation. Flight of Bothwell. Mary's surrender to the rebels.

As the day appointed for the meeting of parliament approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malecontents had laboured to defeat a scheme, which her interest conspired with her passions in rendering dear to her, they were the leaders of a party, whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival whom she had good reason both to fear and to hate.

But on the other hand, ſeveral weighty conſiderations might be urged. The noblemen, whoſe fate was in ſuſpence, were among the moſt powerful ſubjects in the kingdom; their wealth great, their connexions extenſive, and their adherents numerous. They were now at mercy, the objects of compaſſion, and ſuing for pardon with the moſt humble ſubmiſſion.

In thoſe circumſtances, an act of clemency would exalt the queen's character, and appear no leſs ſplendid among foreigners, than acceptable to her own ſubjects. Mary herſelf, though highly incenſed, was not inexorable, but the king's rage was implacable and unrelenting. They were ſolicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the congregation, were not forgetful of their ancient union with Murray and his fellow ſufferers; nor neglectful of their ſafety, which they eſteemed of great importance to the kingdom. Melvil, who at that time poſſeſſed the queen's confidence, ſeconded their ſolicitations. And Murray, having ſtooped ſo low as to court Rizio, that favourite, who was deſirous of ſecuring his protection againſt the king, whoſe diſpleaſure he had lately incurred, ſeconded the interceſſions of his other friends with the whole of his influence †. The interpoſition of ſir Nicholas Throkmorton, who had lately been Elizabeth's ambaſſador in Scotland, in behalf of the exiles, was of more weight than all theſe, and attended with more ſucceſs. Throkmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried on at the Engliſh court, in order to undermine the power and credit of that miniſter. He eſpouſed, for this reaſon, the cauſe of the Scottiſh queen, towards whoſe title and pretenſions the other was known to bear little favour; and ventured, in the preſent critical juncture, to write a letter to Mary, containing the moſt ſalutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his aſſociates, as a mea-

† Melv. 125.

ſure no leſs prudent than popular. "An action of this nature," ſays he, "the pure effect of your majeſty's generoſity, will ſpread the fame of your lenity and moderation, and engage the Engliſh to look towards your acceſſion to the throne, not only without prejudice, but with deſire. By the ſame means, a perfect harmony will be reſtored among your own ſubjects, who, if any rupture ſhould happen with England, will ſerve you with that grateful zeal which your clemency cannot fail of inſpiring *."

Theſe prudent remonſtrances of Throkmorton, to which his reputation for wiſdom, and known attachment to the queen, added great authority, made a deep impreſſion on her ſpirit. Her courtiers cultivated this happy diſpoſition, and prevailed on her, notwithſtanding the king's inflexible temper, to ſacrifice her own private reſentment to the interceſſion of her ſubjects, and the wiſhes of her friends †. With this view, the parliament which had been called to meet on the fourth of February, was prorogued to the ſeventh of April ‡; and in the mean time ſhe was buſy in conſidering the manner and form in which ſhe ſhould extend her favour to the lords who were under diſgrace.

Though Mary diſcovered on this occaſion a mind naturally prone to humanity, and capable of forgiving, ſhe wanted firmneſs, however, to reſiſt the influence which was fatally employed to diſappoint the effects of this amiable diſpoſition. About this time, and at no great diſtance from each other, two envoys arrived from the French king. The former was entruſted with matters of mere ceremony alone; he congratulated the queen on her marriage, and inveſted the king with the enſigns of the order of St. Michael. The inſtructions of the latter related to matters of more importance, and produced greater effects §.

An interview between Charles IX. and his ſiſter the queen of Spain had been often propoſed; and after ma-

* Melv. 119. † Ibid. 125. ‡ Good. vol. i. 224.
§ Keith, 325. Append. 167.

ny obſtacles ariſing from the oppoſition of political intereſt, was at laſt appointed at Bayonne. Catherine of Medicis accompanied her ſon; the duke of Alva attended his miſtreſs. Amidſt the ſcenes of public pomp and pleaſure, which ſeemed to be the ſole occupation of both courts, a ſcheme was formed, and meaſures concerted, for exterminating the Hugonots in France, the Proteſtants in the Low Countries, and for ſuppreſſing the Reformation throughout all Europe*. The active policy of pope Pius IV. and the zeal of the cardinal of Lorrain, confirmed and encouraged diſpoſitions ſo ſuitable to the genius of the Romiſh religion, and ſo beneficial to their own order.

It was an account of this holy league which the French envoy brought to Mary, conjuring her at the ſame time, in the name of the king of France and the cardinal of Lorrain, not to reſtore the leaders of the proteſtants in her kingdom to power and favour, at the very time when the catholic princes were combined to deſtroy that ſect in all the countries of Europe†.

Popery is a ſpecies of falſe religion, remarkable for the ſtrong poſſeſſion it takes of the heart. Contrived by men of deep inſight in the human character, and improved by the experience and obſervation of many ſucceſſive ages; it arrived at laſt to a degree of perfection, which no former ſyſtem of ſuperſtition had ever attained. There is no power in the underſtanding, no paſſion in the heart, to which it does not preſent objects adapted to rouſe and to intereſt them. Neither the love of pleaſure which at times prevailed in the court of France, nor the purſuits of ambition which occupied the court of Spain, had ſecured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly conſidered as peculiar to eccleſiaſtics; and kings and miniſters thought themſelves bound in conſcience to extirpate the proteſtant doctrine. Mary herſelf was deeply tinctured with all the prejudices of popery; a paſ-

* Thuan. lib 37. † Melv. 127.

ſionate attachment to that ſuperſtition is viſible in every part of her character, and runs through all the ſcenes of her life: ſhe was devoted too with the utmoſt ſubmiſſion to the princes of Lorrain, her uncles; and had been accuſtomed from her infancy to liſten to all their advices with a filial reſpect. The proſpect of reſtoring the public exerciſe of her own religion, the pleaſure of complying with her uncles, and the hopes of gratifying the French monarch, whom the preſent ſituation of her affairs in England, made it neceſſary to court, counterbalanced all the prudent conſiderations which had formerly weighed with her. She inſtantly joined the confederacy, which had been formed for the deſtruction of the proteſtants, and altered the whole plan of her conduct with regard to Murray and his adherents*.

To this fatal reſolution may be imputed all the ſubſequent calamities of Mary's life. Ever ſince her return into Scotland, fortune may be ſaid to have been propitious to her, rather than adverſe; and if her proſperity did not riſe to any great height, it had, however, ſuffered no conſiderable interruption. A thick and ſettled cloud of adverſity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

The effects of the new ſyſtem which Mary had adopted were ſoon viſible. The time of the prorogation of parliament was ſhortened; and by a new proclamation the twelfth of March was fixed for its meeting †. Mary reſolved, without any further delay, to proceed to the attainder of the rebel lords, and at the ſame time determined to take ſome ſteps towards the re-eſtabliſhment of the Romiſh religion in Scotland‡. The lords

* See Append. No. XIV. † Keith, 326.

‡ It is not on the authority of Knox alone, that we charge the queen with the deſign of re-eſtabliſhing the Roman catholic religion. He, indeed, aſſerts that the altars, which ſhould have been erected in the church of St. Giles, were already provided, 394. 1. Mary herſelf, in a letter to the archbiſhop of Glaſgow, her ambaſſa-

of the articles were chosen, as usual, to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable; but if we reflect upon the circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

Darnly's external accomplishments had excited that sudden and violent passion which raised him to the throne. But the qualities of his mind corresponded ill with the beauty of his person. Of a weak understanding, and without experience, conceited, at the same time, of his own abilities, and ascribing his extraordinary success entirely to this distinguished merit; all the queen's favour made no impression on such a temper. All her gentleness

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dor in France, acknowledges, "that in that parliament she intended to have done some good, with respect to restoring the old religion," Keith, 331. 2. The spiritual lords, *i. e.* the Popish ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good. vol. i. 274. 5. Blackwood, who was furnished by the archbishop of Glasgow with materials for writing his *Martyre de Marie*, affirms that the queen intended to have procured, in this parliament, if not the re-establishment of the catholic religion, at least something for the ease of catholics. Jebb, vol. ii. 204.

could not bridle his imperious and ungovernable ſpirit. All her attention to place about him perſons capable of directing his conduct, could not preſerve him from raſh and imprudent actions*. Fond of all the amuſements, and even prone to all the vices of youth, he became by degrees careleſs of her perſon, and a ſtranger to her company. To a woman, and a queen, ſuch behaviour was intolerable. The lower ſhe had ſtooped to raiſe him, his behaviour appeared the more ungenerous and criminal: and in proportion to the ſtrength of her firſt affection, was the violence with which her diſappointed paſſion now operated. A few months after the marriage their domeſtic quarrels began to be obſerved. The extravagance of Darnly's ambition gave riſe to theſe. Inſtead of being ſatisfied with that ſtretch of power by which Mary had conferred on him the title of king, and admitted him to a ſhare in the adminiſtration, he demanded the crown matrimonial with moſt inſolent importunity†. Though Mary alleged that this gift was beyond her power, and that the authority of parliament muſt be interpoſed to beſtow it, he wanted either underſtanding to comprehend, or temper to admit, ſo juſt a defence; and often renewed and urged his requeſt.

Rizio, whom the king had at firſt taken into great confidence, did not humour him in theſe follies. By this he incurred Henry's diſpleaſure; and as it was impoſſible for Mary to behave towards her huſband with the ſame affection which diſtinguiſhed the firſt and happy days of their union, he imputed this coldneſs, not to his own behaviour, which had ſo well merited it, but to the inſinuations of Rizio. Mary's own conduct confirmed and ſtrengthened theſe ſuſpicions. She treated

* Good. vol. i. 122.

† Keith, 329. Id. App. 165, 166. Knox, 404. The eagerneſs of the king to obtain the *crown matrimonial* is not ſurpriſing, when the extent of the powers which that title conveyed, as explained in the text and note, p. 122, is taken in conſideration.

this ſtranger with a familiarity, and admitted him to a ſhare in her confidence, to which neither his firſt condition, nor the office ſhe had lately beſtowed on him, gave him any title. He was perpetually in her preſence, intermeddled in every buſineſs, and, together with a few favourites, was the companion of all her private amuſements. The haughty ſpirit of Darnly could not bear the interference of ſuch an upſtart; and impatient of any delay, and unreſtrained by any ſcruple, he inſtantly reſolved to get rid of him by violence.

At the ſame time another deſign, which took its riſe from very different motives, was carrying on againſt the life of Rizio. Morton, Ruthven, Lindſay, and Maitland, were the contrivers of it. In all former commotions they had been ſtrictly united with Murray, though in the late inſurrection they had deſerted him, for various reaſons. Morton was nearly allied to the family of Angus, and, during the minority of the preſent earl, acted as chief of the name of Douglas. Ruthven was married to the king's aunt. Lindſay's wife was of the ſame blood. All theſe had warmly concurred with the queen in promoting a marriage which did ſo much honour to the houſe of Douglas, and naturally expected, that, under a king of their own blood, the chief management of affairs would be committed to them. Maitland, with his uſual ſagacity, foreſaw that Murray's oppoſition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himſelf neceſſary and of importance. They were all equally diſappointed in their expectations. The king's headſtrong temper rendered him incapable of advice. The queen could not help diſtruſting men who had been ſo long and ſo intimately connected with Murray, and gave herſelf up intirely to thoſe counſellors who complied with all her inclinations. The return of that nobleman and his followers was therefore the only event which could reſtore Morton, Maitland, and their aſſociates, to their former aſcendant over the queen's councils. For this reaſon, nothing could be more mortifying to them, than the

reſolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his intereſt, was now the moſt active inſtrument in promoting the meaſures which were concerted for the ruin of that nobleman. This officious zeal completed the diſguſt which the nobles had conceived againſt him, and inſpired them with thoughts of vengeance, in no ways ſuitable to juſtice, to humanity, or to their own dignity.

While they were ruminating upon their ſcheme, the king communicated his reſolution to be avenged of Rizio to lord Ruthven, and implored his aſſiſtance, and that of his friends, towards the execution of this deſign. Nothing could be more acceptable to them than this overture. They ſaw at once all the advantages they would reap, by the concurrence of ſuch an aſſociate. Their own private revenge upon Rizio would paſs, they hoped, for an act of obedience to the king; and they did not deſpair of obtaining the reſtoration of their baniſhed friends, and ſecurity for the proteſtant religion, as the price of their compliance with his will.

But as Henry was no leſs fickle than raſh, they heſitated for ſome time, and determined to advance no farther, without taking every poſſible precaution for their own ſafety. They did not, in the mean time, ſuffer the king's reſentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of inſinuation and addreſs, took the young prince under his management. He wrought upon his ruling paſſion, ambition to obtain the matrimonial crown. He repreſented Rizio's credit with the queen to be the chief and only obſtacle to his ſucceſs in that demand. This minion alone, he ſaid, poſſeſſed her confidence; and out of complaiſance to him, her ſubjects, her nobility, and even her huſband, were excluded from any participation of her ſecret councils Under the appearance of a confidence merely political, he inſinuated and having perhaps belived, that a familiarity of another and more criminal nature might be concealed *.

* Of all our hiſtorians, Buchanan alone avowedly

Such various and complicated paſſions raged in the king's boſom with the utmoſt fury. He became more impatient than ever of any delay, and even threatened to ſtrike the intended blow with his own hand. At laſt, preliminaries were ſettled on both ſides, and articles for their mutual ſecurity agreed upon. The king engaged to prevent the attainder of the baniſhed lords, to conſent to their return into Scotland, to obtain for them an

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accuſes Mary of a criminal love for Rizio, 340, 344. Knox ſlightly inſinuates that ſuch a ſuſpicion was entertained, 391. Melvil, in a converſation with the queen, intimates that he was afraid her familiarity with Rizio might be liable to miſconſtruction, 110. The king himſelf ſeems, both by Melvil's account, and by his expoſtulation with the queen, which Ruthven mentions, to have given credit to theſe ſuſpicions. Melv. 127. Keith, Append. 123, 124. But in oppoſition to theſe ſuſpicions, and they are nothing more, we may obſerve that Raulet, the queen's French ſecretary, was diſmiſſed from her ſervice, and Rizio advanced to that office in December, 1564. Keith, 268. It was in conſequence of this preferment, that he acquired his great credit with the queen. Melv. 107. Darnly arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a paſſion, which had all the ſymptoms of genuine and violent love. Rizio aided this paſſion, and promoted the marriage with all his intereſt. Melv. 111. During ſome months after the marriage, the queen's fondneſs for Darnly continued. She ſoon proved with child. From this enumeration of circumſtances, it appears almoſt impoſſible that the queen, unleſs we ſuppoſe her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the ſilence of Randolph, the Engliſh reſident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once inſinuate that her confidence in Rizio concealed any thing criminal, is in itſelf a ſufficient vindication of her innocence.

ample remiſſion of all their crimes, and to ſupport, to the utmoſt of his power, the religion which was now eſtabliſhed in the kingdom. On their parts, they undertook to procure the crown matrimonial for Henry, to ſecure his right of ſucceſſion, if the queen ſhould die before him, and to defend that right to the uttermoſt, againſt whatever perſon ſhould preſume to diſpute it; and if either Rizio, or any other perſon ſhould happen to be killed in proſecuting of the deſign, the king promiſed to acknowledge himſelf to be the author of the enterpriſe, and to protect thoſe who were embarked in it*.

Nothing now remained but to concert the plan of operation, to chooſe the actors, and to aſſign them their parts in perpetrating this deteſtable crime. Every circumſtance here paints and characteriſes the manners and men of that age, and fills us with horror at both. The place choſen for committing ſuch a deed was the queen's bed-chamber. Though Mary was now in the ſixth month of her pregnancy, and though Rizio might have been ſeized elſewhere without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleaſure of reproaching Rizio with his crimes before the queen's face. The earl of Morton, the lord high chancellor of the kingdom, undertook to direct an enterpriſe, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthven, who had been confined to his bed for three months by a very dangerous diſtemper, and who was ſtill ſo feeble that he could ſcarce walk, or bear the weight of his own armour, was intruſted with the executive part; and while he himſelf needed to be ſupported by two men, he came abroad to commit a murder in the preſence of his ſovereign.

On the ninth of March, Morton entered the court of the palace with an hundred and ſixty men; and without noiſe, or meeting with any reſiſtance, ſeized all the gates. While the queen was at ſupper with the

* Good. vol. i. 266.

counteſs of Argyle, Rizio, and a few domeſtics, the king ſuddenly entered the apartment by a private paſſage. At his back was Ruthven, clad in complete armour, and with that ghaſtly and horrid look which long ſickneſs had given him. Three or four of his moſt truſty accomplices followed him. Such an unuſual appearance alarmed thoſe who were preſent. Rizio inſtantly apprehended that he was the victim at whom the blow was aimed; and in the utmoſt conſternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her perſon might prove ſome protection to him. The conſpirators had proceeded too far to be reſtrained by any conſideration of that kind. Numbers of armed men ruſhed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears, and entreaties, and threatenings, to ſave her favourite. But, notwithſtanding all theſe, he was torn from her by violence, and before he could be dragged through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-ſix wounds*.

Athol, Huntly, Bothwell, and other confidents of the queen who lodged in the palace, were alarmed at the uproar, and filled with the utmoſt terror on their own account; but either no violence was intended againſt them, or the conſpirators durſt not ſhed the nobleſt blood in the kingdom in the ſame illegal manner with which they had ventured to take the life of a ſtranger. Some of them were diſmiſſed, and others made their eſcape.

The conſpirators, in the mean time, kept poſſeſſion of the palace, and guarded the queen with the utmoſt care. A proclamation was publiſhed by the king, prohibiting the parliament to meet on the day appointed; and meaſures were taken by him for preventing any tumult in the city†. Murray, Rothes, and their followers,

* See Appen. No. XV. † Keith, Appen. 126.

being informed of every ſtep taken againſt Rizio, arrived at Edinburgh next evening. Murray was graciouſly received both by king and queen: by the former, on account of the articles which had been agreed upon between them; by the latter, becauſe ſhe hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizio. Their power ſhe ſtill felt and dreaded; and the inſult which they had offered to her authority, and even to her perſon, ſo far exceeded any crime which ſhe could impute to Murray, that in hopes of wreaking her vengeance on them, ſhe became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their ſafety. The queen, who ſcarce had the liberty of choice left, was perſuaded to admit Morton and Ruthven into her preſence, and to grant them the promiſe of pardon in whatſoever terms they ſhould deem neceſſary for their own ſecurity.

The king, mean while, ſtood aſtoniſhed at the boldneſs and ſucceſs of his own enterpriſe, and uncertain what courſe to hold. The queen obſerved his irreſolution, and availed herſelf of it. She employed all her art to diſengage him from his new aſſociates. His conſciouſneſs of the inſult which he had offered to ſo illuſtrious a benefactreſs, inſpired him with uncommon facility and complaiſance. In ſpite of all the warnings he received to diſtruſt the queen's artifices, ſhe prevailed on him to diſmiſs the guards which the conſpirators had placed on her perſon; and that ſame night he made his eſcape along with her, attended by three perſons only, and retired to Dunbar. The ſcheme of their flight had been communicated to Huntly and Bothwell, and they were quickly joined by them and ſeveral other of the nobles. Bothwell's eſtate lay in that corner of the kingdom, and his followers crowded to their chief in ſuch numbers, as ſoon enabled the queen to ſet the power of the conſpirators at defiance.

This ſudden flight filled them with inexpreſſible conſternation. They had obtained a promiſe of pardon;

and it now appeared from the queen's conduct, that nothing more was intended by this promiſe than to amuſe them, and to gain time. They ventured, however, to demand the accompliſhment of it; but their meſſenger was detained a priſoner, and the queen advancing towards Edinburgh, at the head of eight thouſand men, talked in the higheſt ſtrain of reſentment and revenge. She had the addreſs, at the ſame time, to ſeparate Murray and his aſſociates from the conſpirators againſt Rizio. Senſible that the union of theſe parties would form a confederacy which might prove formidable to the crown, ſhe expreſſed great willingneſs to receive the former into favour; towards the latter ſhe declared herſelf inexorable. Murray and his followers were no leſs willing to accept of pardon on her own terms. The conſpirators againſt Rizio, deprived of every reſource, and incapable of reſiſtance, fled precipitately to Newcaſtle, having thus changed ſituations with Murray and his party, who left that place a few days before.

No man ſo remarkable for wiſdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterpriſe. Deſerted baſely by the king, who now denied his knowledge of the conſpiracy by public proclamations, and abandoned ungenerouſly by Murray and his party *, he was obliged to fly from his native country, to reſign the higheſt office, and to part with one of the moſt opulent fortunes, in the kingdom.

On her return to Edinburgh, Mary began to proceed againſt thoſe concerned in the murder of Rizio with the utmoſt rigour of law. But, in praiſe of her clemency, it muſt be obſerved, that only two perſons, and theſe of no conſiderable rank, ſuffered for this crime ¶.

In this conſpiracy there is one circumſtance which, though ſomewhat detached, deſerves not to be for-

* Melv. 130.

¶ Keith, Appendix 130, 334.

gotten. In the confederacy between the king and the conſpirators, the real intention of which was aſſaſſination, the preſerving of the reformed church is, nevertheleſs, one of the moſt conſiderable articles; and the ſame men who were preparing to violate one of the firſt duties of morality, affected the higheſt regard for religion. Hiſtory relates theſe extravagancies of the human mind, without pretending to juſtify, or even to account for them; and regulating her own opinions by the eternal and immutable laws of juſtice and of virtue, points out ſuch inconſiſtencies, as features of the age which ſhe deſcribes, and records them for the inſtruction of ages to come.

As this is the ſecond inſtance of deliberate aſſaſſination which has occurred, and as we ſhall hereafter meet with many other inſtances of the ſame crime, the cauſes which gave riſe to a practice ſo ſhocking to humanity deſerve our particular attention. Reſentment is, for obvious and wiſe reaſons, one of the ſtrongeſt paſſions in the human mind. The natural demand of this paſſion is, that the perſon who feels the injury ſhould himſelf inflict the vengeance due on that account. The permitting this, however, would have been deſtructive to ſociety; and puniſhment would have known no bounds, either in ſeverity or in duration. For this reaſon, in the very infancy of the ſocial ſtate, the ſword was taken out of private hands, and committed to the magiſtrate. But at firſt, while laws aimed at reſtraining, they really ſtrengthened the principle of revenge. The earlieſt and moſt ſimple puniſhment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compenſation to the perſon injured ſucceeded to the rigour of the former inſtitution. In both theſe, the gratification of private revenge was the object of law; and he who ſuffered the wrong was the only perſon who had a right to purſue, to exact, or to remit the puniſhment. While laws allowed ſuch full ſcope to the revenge of one party, the intereſts of the other were not neglected. If the evidence of his guilt did

not amount to a full proof, or if he reckoned himſelf to be unjuſtly accuſed, the perſon to whom a crime was imputed had a right to challenge his adverſary to ſingle combat, and, on obtaining the victory, vindicated his own honour. In almoſt every conſiderable cauſe, whether civil or criminal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Juſtice had ſeldom occaſion to uſe her balance; the ſword alone decided every conteſt. The paſſion of revenge was nouriſhed by all theſe means, and grew, by daily indulgence, to be incredibly ſtrong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other cauſes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it neceſſary to diſcourage the trial by combat; to aboliſh the payment of compenſations in criminal caſes; and to think of ſome milder method of terminating diſputes concerning civil rights. The puniſhments for crimes became more ſevere, and the regulations concerning property more fixed; but the princes whoſe province it was to inflict the one, and enforce the other, poſſeſſed little power. Great offenders deſpiſed their authority; ſmaller ones ſheltered themſelves under the juriſdiction of thoſe from whoſe protection they expected impunity. The adminiſtration of juſtice was extremely feeble and dilatory. An attempt to puniſh the crimes of a chieftain, or even of his vaſſals, often excited rebellions and civil wars. To nobles, haughty and independent, among whom the cauſes of diſcord were many and unavoidable, who were quick in diſcerning an injury, and impatient to revenge it; who deemed it infamous to ſubmit to an enemy, and cowardly to forgive him; who conſidered the right of puniſhing thoſe who had injured them as a privilege of their order, and a mark of independency; ſuch ſlow proceedings were extremely unſatisfactory. The blood of their adverſary was, in their opinion, the only thing which could waſh away an affront; where that was not ſhed, their revenge was diſappointed, their courage

became ſuſpected, and a ſtain was left on their honour. That vengeance, which the impotent hand of the magiſtrate could not inflict, their own could eaſily execute. Under governments ſo feeble, men aſſumed, as in a ſtate of nature, the right of judging and redreſſing their own wrongs; and thus aſſaſſination, a crime of all others the moſt deſtructive to ſociety, came not only to be allowed, but to be deemed honourable.

The hiſtory of Europe, during the fourteenth and fifteenth centuries, abounds with deteſtable inſtances of this crime. It prevailed chiefly among the French and Scots, between whom there was a cloſe intercourſe at that time, and a ſurpriſing reſemblance in their national characters. In one thouſand four hundred and ſeven, the only brother of the king of France was murdered publicly in the ſtreets of Paris; and inſtead of puniſhing this horrible action, an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulneſs of aſſaſſination. In 1417, it required all the eloquence and authority of the famous Gerſon, to prevail on the council of Conſtance to condemn this propoſition, "That there are ſome caſes in which aſſaſſination is a virtue much more meritorious in a knight than in a ſquire, and more meritorious in a king than in a knight*." The number of eminent perſons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and ſixteenth centuries, is almoſt incredible. Even after thoſe cauſes, which firſt gave riſe to this barbarous practice, were removed; after the juriſdiction of magiſtrates, and the authority of laws, were better eſtabliſhed, and become more univerſal; after the progreſs of learning and philoſophy had poliſhed the manners, and humanized the minds of men, this crime continued in ſome degree. It was towards the cloſe of the ſeventeenth century before it diſappeared in France. The additional vigour which

* L'Enfant, Hiſt. Cont. de Conſt.

the royal authority acquired by the acceſſion of James VI. to the throne of England, ſeems to have put a ſtop to it in Scotland.

The influence, however, of any national cuſtom, both on the underſtanding and on the heart, and how far it may go towards preventing or extinguiſhing moral principles of the greateſt importance, is remarkable. The authors of thoſe ages have perfectly imbibed the ſentiments of their contemporaries, with regard to aſſaſſination; and they, who had leiſure to reflect and to judge, appear to be no more ſhocked at this crime, than the perſons who committed it during the heat and impetuoſity of paſſion. Buchanan relates the murder of cardinal Beatoun and of Rizio, without expreſſing thoſe feelings which are natural to a man, or that indignation which became an hiſtorian †. Knox, whoſe mind was fiercer and more unpoliſhed, talks of the death of Beatoun and of the duke of Guiſe, not only without cenſure, but with the utmoſt exultation ‡. On the other hand, the biſhop of Roſs mentions the aſſaſſination of the earl of Murray with ſome degree of applauſe ‖. Blackwood dwells upon it with the moſt indecent triumph, and aſcribes it directly to the hand of God §. Lord Ruthven, the principal actor in the conſpiracy againſt Rizio, wrote an account of it ſome ſhort time before his own death, and in all his long narrative there is not one expreſſion of regret, or one ſymptom of compunction, for a crime no leſs diſhonourable than barbarous ¶. Morton, equally guilty of the ſame crime, entertained the ſame ſentiments concerning it; and in his laſt moments, neither he himſelf, nor the miniſters who attended him, ſeem to have conſidered it as an action which called for repentance; even then he talks of *David's ſlaughter* as coolly as if it had been an innocent or commendable deed *. The vices of another age aſtoniſh and ſhock us: the vices of our

† Buchan. 295, 345. ‡ Knox, 334. ‖ Anderſ. 3. 84.
§ Jebb. 2. 263. ¶ Keith, Append. 119.
* Crawf. Mem. Append.

own become familiar and excite little horror *. We return from this digreſſion to the courſe of the hiſtory.

The charm, which had at firſt attached the queen to Darnly, and held them for ſome time in an happy union, was now entirely diſſolved; and love no longer covering his follies and vices with its friendly veil, they appeared to Mary in their full dimenſion and deformity †. Though Henry publiſhed a proclamation, diſclaiming any knowledge of the conſpiracy againſt Rizio, the queen was fully convinced, that he was not only acceſſary to the contrivance, but to the commiſſion of that odious crime ‡. That very power, which with liberal and unſuſpicious fondneſs, ſhe had conferred upon him, he had employed to inſult her authority, to limit her prerogative, and to endanger her perſon. Such an outrage it was impoſſible any woman could bear or forgive. Cold civilities, ſecret diſtruſt, frequent quarrels ſucceeded to their former tranſports of affection and confidence. The queen's favours were no longer conveyed through his hand. The crowd of expectants ceaſed to court his patronage, which they found to avail ſo little. Among the nobles ſome dreaded his furious temper, others complained of his perfidiouſneſs; and all of them deſpiſed the weakneſs

* This extraordinary event ſoon reached England, exaggerated with many circumſtances, which at this diſtance of time appear altogether unfounded. And it is painful to obſerve that the moſt learned prelates and divines of that age even conſidered this horrible murder as meritorious. Among thoſe ſaid to be ſlain was one friar Black, whoſe death is mentioned in terms of exultation by the then biſhop of Norwich:

"Fraterculus quidam nomine *Black*, papiſtarum anteſignanus, eodem tempore in aula occiditur: Sic niger hic nebulo, nigra quoque morte peremptus, invitus nigrum ſubito deſcendit in Orcum." Burn. Hiſt. of Reformation. App. 160.

† See Appendix, No. XVI. ‡ Keith, 350.

of his understanding and the inconstancy of his heart. The people themselves observed some parts of his conduct which little suited the dignity of a king. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the queen to the utmost, and the passions which it occasioned, often forced tears from her eyes, both in public and private *. Her aversion for him increased every day, and could be no longer concealed. He was often absent from court, appeared there with little splendour, and was trusted with no power. Avoided equally by those who endeavoured to please the queen, who favoured Morton and his associates, or who adhered to the house of Hamilton; he was left almost alone in a neglected and unpitied solitude †.

About this time a new favourite grew into great credit with the queen, and soon gained an ascendent over her heart, which encouraged his enterprising genius to form designs that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and, by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age when so many vast projects were laid open to an aspiring mind, and invited to action, no man's ambition was more daring than Bothwell's, or had recourse to bolder or more singular expedients for obtaining power ‡. When almost every person of distinction in

* Keith, 329. † Melv. 131. &c

‡ Jebb, ii. 486. The author of Crawford's Memoirs, who probably had seen Bothwell, speaks of him as "one of the handsomest men of his time, and well made." Mem. 53.—And Throkmorton, when ambassador at France, thus describes him as brave and enterprising. "The earl of Bothwell is departed to return to Scotland. He is a glorious, rash, and hazardous

the kingdom, whether papiſt or proteſtant had joined the congregation in oppoſing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed proteſtant, adhered to the queen regent, and acted with vigour on her ſide. The ſucceſs which attended the arms of the congregation having obliged him to retire into France, he was taken into the queen's ſervice, and continued with her till the time of her return into Scotland *. From that period, every ſtep of his conduct towards Mary was remarkably dutiful; and amidſt all the ſhiftings of faction we ſcarcely ever find him holding any courſe which could be offenſive to her. When Murray's proceedings with regard to her marriage gave umbrage to the queen, ſhe recalled Bothwell from that baniſhment into which ſhe had with reluctance driven him, and conſidered his zeal and abilities as the moſt powerful ſupports of her authority. When the conſpirators againſt Rizio ſeized her perſon, he became the chief inſtrument of recovering her liberty, and ſerved her on that occaſion, with ſo much fidelity and ſucceſs, as made the deepeſt impreſſion on her mind, and greatly increaſed the confidence which ſhe had hitherto placed in him †. Her gratitude loaded him with marks of her bounty; ſhe raiſed him to offices of profit and of truſt, and tranſacted no matter of importance without his advice ‡. By complaiſance and aſſiduity he confirmed and fortified theſe diſpoſitions of the queen in his favour, and inſenſibly paved the way towards that vaſt project which his immoderate ambition had perhaps already conceived, and which, in ſpite of ſo many difficulties, and at the expence of many crimes, he at laſt accompliſhed.

The hour of the queen's delivery now approached.

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young man, and therefore it were meet his adverſaries ſhould have an eye to him, and keep him ſhort." Hardwick's State Papers, i. p. 149.

* Anderſ. i. 60. † Ibid. 92, 93.

‡ Melv. 133. Knox, 396.

As her palace was defended only by a ſlenderguard, it ſeemed imprudent to expoſe her perſon, at that time, to the inſults ſhe might ſuffer in a kingdom torn by factions and prone to mutiny. For this reaſon, the privy council adviſed the queen to fix her reſidence in the caſtle of Edinburgh, the ſtrongeſt fortreſs in the kingdom, and the moſt proper place for the ſecurity of her perſon *. In order to render this ſecurity more perfect, Mary laboured to extinguiſh the domeſtic feuds which divided ſome of the principal nobles. Murray and Argyle were exaſperated againſt Huntly and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promiſe to bury their diſcords in everlaſting obliviion. This reconcilement Mary had ſo much at heart, that ſhe made it the condition on which ſhe again received Murray into favour †.

On the nineteenth of June, 1566, Mary was delivered of her only ſon James, a prince whoſe birth was happy for the whole iſland, and unfortunate to her alone. His acceſſion to the throne of England united the two divided kingdoms in one mighty monarchy, and eſtabliſhed the power of Great Britain on a firm foundation; while ſhe, torn early from her ſon by the cruelty of her fate, was never allowed to indulge thoſe tender paſſions, nor to taſte thoſe joys, which fill the heart of a mother.

Melvil was inſtantly deſpatched to London with an account of this event. It ſtruck Elizabeth, at firſt, in a ſenſible manner; and the advantage and ſuperiority which her rival had acquired by the birth of a ſon, forced tears from her eyes. But before Melvil was admitted to audience, ſhe had ſo far recovered the command of herſelf, as to receive him not only with decency, but with exceſſive cheerfulneſs, and willingly accepted the invitation which Mary gave her to ſtand godmother to her ſon ‡.

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*Keith, 335. †Ibid. 336. Append. 139. ‡Melv. 138.

As Mary loved ſplendour and magnificence, ſhe reſolved to celebrate the baptiſm of the young prince with great pomp; and for that purpoſe ſent invitations of the ſame kind to the French king, and to the duke of Savoy, the uncle of her former huſband.

The queen, on her recovery, diſcovered no change in her ſentiments with reſpect to the king*. The death of Rizio, and the countenance he had given to an action ſo inſolent and unjuſtifiable, were ſtill freſh in her memory. She was frequently penſive and dejected†. Though Henry ſometimes attended at court, and accompanied her in her progreſſes through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greateſt reſerve, and did not ſuffer him to poſſeſs any authority‡. The breach between them became every day more apparent‖. Attempts were made towards a reconcilement, particularly by Caſtlenau the French ambaſſador; but after ſuch a violent rupture, it was found no eaſy matter to bind the nuptial knot a-new; and though he prevailed on the king and queen to paſs two nights together¶, we may with great probability pronounce this appearance of union, to which Caſtlenau truſted, not to have been ſincere, we know with certainty that it was not laſting.

Bothwell, all this while, was the queen's prime confident. Without his participation no buſineſs was concluded, and no favour beſtowed. Together with this aſcendent over her councils, Bothwell, if we may believe the contemporary hiſtorians, acquired no leſs ſway over her heart. But at what preciſe time this ambitious lord firſt allowed the ſentiments of a lover to occupy the place of that duty and reſpect which a ſubject owes his ſovereign, or when Mary, inſtead of gratitude for his faithful ſervices, felt a paſſion of another nature riſing in her boſom, it is no eaſy matter to determine. Such delicate tranſitions of paſſion can be

*See Apend. No. XVII. †Melv. 148. ‡Keith, 350. Melv. 134. ‖Keith, Append. 169. ¶Ibid. 169.

diſcerned only by thoſe who are admitted near the perſons of the parties, and who can view the ſecret workings of the heart with calm and accute obſervation. Neither Knox nor Buchanan enjoyed theſe advantages. Their humble ſtation allowed them only a diſtant acceſs to the queen and her favourite. And the ardour of their zeal and the violence of their prejudices rendered their opinions raſh, precipitate, and inaccurate. It is by the effects of this reciprocal paſſion, rather than by their accounts of it, that ſubſequent hiſtorians can judge of its reality.

Adventurous as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumſtances. Mary was young, gay, and affable. She poſſeſſed great ſenſibility of temper, and was capable of the utmoſt tenderneſs of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with inſolence, and with brutality. All theſe ſhe felt and reſented. In this ſituation, the attention and complaiſance of a man who had vindicated her authority and protected her perſon, who entered into all her views, who ſoothed all her paſſions, who watched and improved every opportunity of inſinuating his deſign and recommending his paſſion †, could hardly fail of making an impreſſion on a heart of ſuch a frame as Mary's.

The haughty ſpirit of Darnly, nurſed up in flattery, and accuſtomed to command, could not bear the contempt under which he had now fallen, and the ſtate of inſignificance to which he ſaw himſelf reduced. But in a country where he was univerſally hated or deſpiſed, he could never hope to form a party, which would ſecond any attempt he might make to recover power. He addreſſed himſelf, therefore, to the pope, and to the kings of France and Spain, with many profeſſions of his own zeal for the catholic religion, and with bitter complaints againſt the queen, for neglecting to promote that in-

† Anderſ. I. 93, 94.

tereſt†: and ſoon after, he took a reſolution, equally wild and deſperate, of embarking on board a ſhip which he provided, and of flying into foreign parts. It is almoſt impoſſible to form any ſatisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himſelf to the catholic princes on the continent by his zeal for religion, and that they would employ their intereſt towards reinſtating him in the poſſeſſion of that power which he had loſt. Perhaps he expected nothing more than the comfort of hiding the diſgrace under which he was now fallen, among ſtrangers, who had never been witneſſes of his former proſperity.

He communicated the deſign to the French ambaſſador Le Croc, and to his father the earl of Lennox. They both endeavoured to diſſuade him from it, but without ſucceſs. Lennox, who ſeems, as well as his ſon, to have loſt the queen's confidence, and who, about this time, was ſeldom at court, inſtantly communicated the matter to her by a letter. Henry, who had refuſed to accompany the queen from Stirling to Edinburgh, was likewiſe abſent from court. He arrived there, however, on the ſame day ſhe received the account of his intended flight. But he was more than uſually wayward and peeviſh; and ſcrupling to enter the palace unleſs certain lords who attended the queen were diſmiſſed, Mary was obliged to meet him without the gates. At laſt he ſuffered her to conduct him into her own apartment. She endeavoured to draw from him the reaſons of the ſtrange reſolution which he had taken, and to divert him from it. In ſpite, however, of all her arguments and intreaties he remained ſilent and inflexible. Next day the privy council, by her direction, expoſtulated with him on the ſame head. He perſiſted, however, in his ſullenneſs and obſtinacy; and neither deigned to explain the motives of his conduct, nor ſignified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that ſhe ſhould not ſee his

† Knox, 399.

face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his diſguſt. She herſelf, he ſaid, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, ſo that he appeared in every place without the dignity and ſplendour of a king.

Nothing could be more mortifying to Mary, than this intended flight of the king's, which would have ſpread the infamy of their domeſtic quarrel all over Europe. Compaſſion for a monarch who would then appear to be forced into exile by her neglect and ill uſage, might have diſpoſed mankind to entertain ſentiments concerning the cauſes of their diſcord little to her advantage. In order, therefore, to prepoſſeſs the minds of her allies, and to ſcreen her reputation from any cenſure with which Darnly might endeavour to load it, the privy council tranſmitted a narrative of this whole tranſaction both to the king and to the queen mother of France. It is drawn with great art, and ſets Mary's conduct in the moſt favourable point of light *.

About this time the licenſe of the borderers called for redreſs; and Mary reſolving to hold a court of juſtice at Jedburgh, the inhabitants of ſeveral adjacent counties were ſummoned to attend their ſovereign in arms, according to cuſtom †. Bothwell was at that time lieutenant or warden of all the marches, an office among the moſt important in the kingdom; and though uſually divided into three diſtinct governments, beſtowed by the queen's favour upon him alone. In order to diſplay his own valour and activity in the diſcharge of this truſt, he attempted to ſeize a gang of banditti, who lurking among the marches of Liddeſdale, infeſted the reſt of the country. But while he was laying hold upon one of thoſe deſperadoes, he was wounded by him in ſeveral places, ſo that his followers were obliged to carry him to Hermitage caſtle. Mary inſtantly flew thither, with an impatience which ſtrongly marks the

* Keith, 345, 347. † Keith, 353. Good, vol. i. 302.

anxiety of a lover, but little suited the dignity of a queen†. Finding that Bothwell was threatened with no dangerous symptom, she returned that same day to Jedburgh. The fatigue of such a journey, added to the anguish of mind she had suffered on Bothwell's account, threw her next morning into a violent fever‖. Her life was despaired of, but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the queen's illness, the king, who resided at Stirling, never came near Jedburgh §; and when he afterwards thought fit to make his appearance there, he met with such a cold reception as did not encourage him to make any long stay ¶. Mary soon recovered strength enough to return along the eastern borders to Dunbar.

While she resided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, and even proclamations to the contrary, not only allowed but encouraged, Morton and his associates to remain in England *. Mary, on the other hand, offered her protection to several English fugitives. Each queen watched the motions of the other with a

† The distance between Jedburgh and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell seems to have been wounded in a scuffle, occasioned by the despair of a single man, rather than any open insurrection of the borderers. It does not appear, that the queen was attended thither by any considerable train. Had any military operation been necessary, as is supposed, Good, vol. i. 304, it would have been extremely improper to risque the queen's person in an expedition against thieves. As soon as the queen found Bothwell to be in no danger, she instantly returned, and after this we hear no more of the insurrection, nor have we any proof that the rioters took refuge in England. No other reason but that which we have produced seems sufficient to account for the queen's conduct.

‖ Keith, 351, 352. § Ibid. Append. 133.

¶ Knox, 400. * Cald. vol. ii. p. 15.

jealous attention, and ſecretly countenanced the practices which were carrying on to diſturb the adminiſtration of her rival.

For this purpoſe Mary's ambaſſador, Robert Melvil, and her other emiſſaries, were extremely active and ſucceſsful. We may impute, in a good degree, to their intrigues, that ſpirit which appeared in the parliament of England, and which raiſed a ſtorm that threatened Elizabeth's domeſtic tranquillity more than any other event of her reign, and required all her art and dexterity to allay it.

Elizabeth had now reigned eight years without diſcovering the leaſt intention to marry. A violent diſtemper, with which ſhe had lately been ſeized, having endangered her life, and alarmed the nation with the proſpect of all thoſe calamities which are occaſioned by a diſputed and dubious ſucceſſion; a motion was made, and eagerly liſtened to in both houſes, for addreſſing the queen to provide againſt any ſuch danger in times to come, either by ſignifying her own reſolution to marry, or by conſenting to an act, eſtabliſhing the order of ſucceſſion to the crown†. Her love to her ſubjects, her duty to the public, her concern for poſterity, it was aſſerted, not only called upon, but obliged her take one of theſe ſteps. The inſuperable averſion which ſhe had all along diſcovered for marriage, made it improbable that ſhe would chuſe the former; and if ſhe complied with the latter requeſt, no title to the crown could, with any colour of juſtice, be ſet in oppoſition to that of the Scottiſh queen. Elizabeth was ſagacious enough to ſee the remoteſt conſequences of this motion, and obſerved them with the greateſt anxiety. Mary, by refuſing ſo often to ratify the treaty of Edinburgh, had plainly intimated a deſign of embracing the firſt promiſing opportunity for proſecuting her right to the Engliſh crown; and by her ſecret negotiations, ſhe had gained many to favour her title *. All the Roman catholics ardently wiſhed for her ſucceſſion. Her gentleneſs and humani-

† D'Ewes Journ. of Parl. 105. * Melv. 136.

ty had removed many of thoſe apprehenſions which the proteſtants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wreſt the adminiſtration out of his hands, advanced the pretenſions of the Scottiſh queen in oppoſition to him. The union of the two kingdoms was a deſirable object to all wiſe men in both nations; and the birth of the young prince was a ſecurity for the continuance of this bleſſing, and gave hopes of its perpetuity.

Under theſe circumſtances, and while the nation was in ſuch a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The preſent unſettled ſtate of the ſucceſſion left much in her power. Her reſentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto reſtrained and overawed the ambition of the Scottiſh queen. But if this check ſhould be removed by the legal acknowledgment of her title, Mary would be more at liberty to purſue her dangerous deſigns, and to act without fear or reſerve. Her partiſans were already meditating ſchemes for inſurrections in different parts of the kingdom*; and an act of parliament, recogniſing the rights of that princeſs, whoſe pretenſions they favoured, would have been nothing leſs than a ſignal to arms; and notwithſtanding Elizabeth's juſt title to the affections of her ſubjects, might have ſhaken and endangered her throne.

While this matter remained in ſuſpence in both houſes, an account of it was tranſmitted to Mary by Melvil her ambaſſador. As ſhe did not want advocates for her right, even among thoſe who were near Elizabeth's perſon, ſhe endeavoured to cultivate the diſpoſition which appeared towards ſettling the right of ſucceſſion in her favour, by a letter to the privy counſellors of England. She expreſſed in it a grateful ſenſe of Elizabeth's friendſhip, which ſhe aſcribes chiefly to their good offices with

* Melv. 147.

their ſovereign in her behalf. She declared her reſolution to live in perpetual amity with England, without urging or purſuing her claim upon the crown, any farther than ſhould be agreeable to the queen. But, at the ſame time, as her right of ſucceſſion was undoubted, ſhe hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her wrote to the Engliſh privy council in the ſame ſtrain†. Mary artfully gave theſe letters the air of being nothing more than a declaration of her own and of her ſubjects gratitude towards Elizabeth. But as ſhe could not be ignorant of the jealouſy and fear with which Elizabeth obſerved the proceedings of parliament, a ſtep ſo uncommon as this, of one prince's entering into public correſpondence with the privy counſellors of another, could not be otherwiſe conſtrued than as taken with an intention to encourage the ſpirit which had already been raiſed among the Engliſh. In this light it ſeems to have appeared to Elizabeth herſelf*. But the diſpoſition of her people rendering it neceſſary to treat Mary's perſon with great decency, and her title with much regard, ſhe mentioned it to her only in the ſofteſt language.

Nothing, however, could be a more cruel mortification to a princeſs of Elizabeth's character, than the temper which both houſes of parliament diſcovered on this occaſion. She bent all her policy to defeat or elude the motion. After allowing the firſt heat of their zeal to evaporate, ſhe called into her preſence a certain number of each houſe. She ſoothed and careſſed them; ſhe threatened and promiſed; ſhe remitted ſubſidies which were due, and refuſed thoſe which were offered; and in the end prevailed to have this formidable motion put off for that ſeſſion. Happily for her, the conduct of the Scottiſh queen, and the misfortunes which befel her, prevented the revival of ſuch a motion in any future parliament‖.

† Keith, 354. Append. 136. * Keith, 357. ‖ D'Ewes Journ. 104—130. Camd. 399. Melv. 119. Haynes, 446.

Mean time, in order to preſerve the reputation of impartiality, and that ſhe might not drive Mary into any deſperate meaſure, ſhe committed to the Tower one Thornton, who had publiſhed ſomething derogatory to the right of the Scottiſh line ‡; and ſignified her diſpleaſure againſt a member of the houſe of commons, who ſeemed, by ſome words in a ſpeech, to glance at Mary §.

Amidſt all her other cares, Mary was ever ſolicitous to promote the intereſt of that religion which ſhe profeſſed. The re-eſtabliſhment of the Romiſh doctrine ſeems to have been her favourite paſſion; and though the deſign was concealed with care and conducted with caution, ſhe purſued it with a perſevering zeal. At this time ſhe ventured to lay aſide ſomewhat of her uſual reſerve; and the aid which ſhe expected from the popiſh princes who had engaged in the league of Bayonne, encouraged her to take a ſtep, which, if we conſider the temper of the nation, appears to be extremely bold. Having formerly held a ſecret correſpondence with the court of Rome, ſhe now reſolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time biſhop of Mondovi, was the perſon on whom Pius V. conferred this office, and along with him he ſent the queen a preſent of twenty thouſand crowns ‖. It is not the character of the papal court to open its treaſury upon diſtant or imaginary hopes. The buſineſs of the nuncio in Scotland could be no other than to attempt a reconciliation of that kingdom to the Romiſh ſee. Thus Mary herſelf underſtood it; and in her anſwer to a letter which ſhe received from the pope, after expreſſing her grateful ſenſe of his paternal care and liberality, ſhe promiſes that ſhe would bend her whole ſtrength towards the re-eſtabliſhment and propagation of the catholic faith; that ſhe would receive the nuncio with every poſſible demonſtration of reſpect, and concur, with the utmoſt vigour, in all his deſigns towards promoting the

‡ Camd. 401. § Haynes, 449. ‖ Vita Card. Laur. ap. Burn. vol. iii. p. 325.

honour of God, and reſtoring peace to the kingdom; that ſhe would celebrate the baptiſm of the prince according to the ceremonies which the Romiſh ritual preſcribes, hoping that her ſubjects would be taught, by this example, again to reverence the ſacraments of the church, which they had ſo long treated with contempt; and that ſhe would be careful to inſtil early into her ſon the principles of a ſincere love and attachment to the catholic faith*. But though the nuncio was already arrived at Paris, and had ſent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to ſend a magnificent embaſſy into Scotland, againſt the time of the prince's baptiſm; and as it would have been improper to offend her, ſhe wiſely contrived, under various pretences, to detain Laurea at Paris†. The convulſions into which the kingdom was thrown ſoon after, made it impoſſible for him to purſue his journey any farther.

At the very time that Mary was ſecretly carrying on theſe negotiations for ſubverting the reformed church, ſhe did not ſcruple publicly to employ her authority towards obtaining for its miniſters a more certain and comfortable ſubſiſtence‡. During this year, ſhe iſſued ſeveral proclamations and acts of council for that purpoſe, and readily approved of every ſcheme which was propoſed for the more effectual payment of their ſtipends. This part of her conduct does little honour to Mary's integrity: and though juſtified by the example of princes, who often reckon falſehood and deceit among the neceſſary arts of government, and even authoriſed by the pernicious caluiſtry of the Roman church, which transfers breach of faith to heretics from the liſt of crimes to that of duties; ſuch diſſimulation muſt however be numbered among thoſe blemiſhes which ever ſtain a truly great and generous character.

As neither the French nor Piedmonteſe ambaſſadors

* Conæi Vita Mariæ, ap. Jebb, vol. ii. p. 51. † Keith, Append. 135. ‡ Keith, 561, 562. Knox, 401.

were yet arrived, the baptiſm of the prince was put off from time to time. Mean while * Mary fixed her reſidence at Craigmillar †. Such a retirement, perhaps, ſuited the preſent temper of her mind, and induced her to prefer it before her own palace of Holyrood-houſe. Her averſion for the king grew every day more confirmed, and was become altogether incurable. A deep melancholy ſucceeded to that gaiety of ſpirit which was natural to her. The raſhneſs and levity of her own choice, and the king's ingratitude and obſtinacy, filled her with ſhame and with deſpair A variety of paſſions preyed at once on a mind, all whoſe ſenſations were exquiſite, and all its emotions ſtrong, and often extorted from her the laſt wiſh of the unfortunate, that life itſelf might come to an end ‡.

The earl of Bedford, and the count de Brienne, the Engliſh and French ambaſſadors, being arrived, Mary uſed every effort to ſmother what paſſed in her boſom, and ſet out for Stirling to celebrate the baptiſm of her ſon. Bedford was attended by a numerous and ſplendid train, and brought preſents from Elizabeth ſuitable to her own dignity, and the reſpect with which ſhe affected, at that time, to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence diſplayed by her on this occaſion exceeded whatever had been formerly known in Scotland. The ceremony itſelf was performed according to the rites of the Romiſh church. But neither Bedford nor any of the Scottiſh nobles who profeſſed the proteſtant religion entered within the gates of the chapel ‡. The ſpirit of that age, firm and uncomplying, would not, upon any inducement, condeſcend to witneſs an action which it deemed idolatrous.

Henry's behaviour, at this juncture, perfectly diſcovers the exceſs of his caprice, as well as of his folly. He choſe to reſide at Stirling, but confined himſelf to his own apartment; and as the queen diſtruſted every nobleman who ventured to converſe with him, he was left

* Keith, 355. † Keith, Pref. vii. ‡ Keith, 360.

in abſolute ſolitude. Nothing could be more ſingular, or was leſs expected, than his chuſing to appear in a manner that both publiſhed the contempt under which he had fallen, and, by expoſing the queen's domeſtic unhappineſs to the obſervation of ſo many foreigners, looked like a ſtep taken on purpoſe to mortify and to offend her. Mary felt this inſult ſenſibly; and notwithſtanding all her efforts to aſſume the gaiety which ſuited the occaſion, and which was neceſſary for the polite reception of her gueſts, ſhe was ſometimes obliged to retire, in order to be at liberty to indulge her ſorrow, and give vent to her tears*. The king ſtill perſiſted in his deſign of retiring into foreign parts, and daily threatened to put it into execution†.

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* Keith, Pref. vii.

† Camden affirms, 401, that Bedford was commanded by Elizabeth not to give Darnly the title of king. As this was an indignity not to be borne either by Mary or her huſband, it hath been aſſerted to be the cauſe of the king's abſence from the ceremony of his ſon's baptiſm. Keith, 360. Good. 319. But, 1. No ſuch thing is to be found among Bedford's inſtructions, the original of which ſtill remains. Keith, 356. 2. Bedford's advice to the queen by Melvil is utterly inconſiſtent with Camden's aſſertion. Melv. 153. Melvil's account is confirmed by Elizabeth's inſtructions to ſir Henry Norris, where ſhe affirms that ſhe commanded Bedford to employ his beſt offices towards reconciling Mary to her huſband, which ſhe had attempted to no purpoſe. Digges's Compl. Ambaſ. p. 13. A paper publiſhed, Append. No. XVIII. agrees in the ſame thing. 3. Le Croc the French reſident mentions the king's abſence, but without giving that reaſon for it, which has been founded on Camden's words, though, if that had been the real one, he ſcarce would have failed to mention it. His account of this matter is that which we have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the king and queen, he had refuſed to hold any further cor-

The ceremony of witneſſing the prince's baptiſm was not the ſole buſineſs of Bedford's embaſſy. His inſtructions contained an overture, which ought to have gone far towards extinguiſhing thoſe jealouſies which had ſo long ſubſiſted between the two queens. The treaty of Edinburgh, which has been ſo often mentioned, was the principal occaſion of theſe. The ſpirit, however, which had riſen to ſuch an height in the late parliament, the power of the party which abetted the Scottiſh queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expreſſions in that treaty might afford her. All ſhe now demanded of Mary, was to renounce any title to the crown of England during her life and the lives of her poſterity; and, on the other hand, ſhe engaged to take no ſtep which might prove injurious to Mary's claim upon the ſucceſſion‡.

Mary could not, with decency, reject a propoſition ſo equitable; ſhe inſiſted, however, that Elizabeth ſhould order the right upon which ſhe claimed to be legally examined and publicly recogniſed, and particularly that the teſtament of Henry VIII. whereby he had excluded the deſcendents of his eldeſt ſiſter the queen of Scotland from the place due to them in the order of ſucceſſion, might be produced, and conſidered by the Engliſh nobility. Mary's miniſters had credulouſly embraced an opinion, that this teſtament, which they

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reſpondence with the former, though he appears, in many inſtances, to have been his great confident. Ibid. 5. As the king was not preſent at the baptiſm, he ſeems to have been excluded from any ſhare in the ordinary adminiſtration of buſineſs. Two acts of privy council, one on the 20th, and the other on the 21ſt of December, are found in Keith, 562. They both run in the queen's name alone. The king ſeems not to have been preſent. This could not be owing to Elizabeth's inſtructions to Bedford.

‡ Keith, 356.

ſo juſtly conceived to be injurious to their miſtreſs, was a mere forgery; and on different occaſions had urged Eliabeth to produce it. Mary would have ſuffered conſiderably by gaining this point The original teſtament is ſtill extant, and not the leaſt doubt can be entertained of its genuineneſs and authenticity. But it was not Elizabeth's intention to weaken or to ſet aſide the title of the houſe of Stewart. She aimed at nothing more than to keep the queſtion concerning the ſucceſſion perplexed and undecided, and by induſtriouſly eluding this requeſt, ſhe did real ſervice to Mary's cauſe *.

A few days after the baptiſm of the prince, Morton and all the other conſpirators againſt Rizio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every entreaty in their behalf, yielded at laſt to the ſolicitations of Bothwell †. He could hope for no ſucceſs in thoſe bold deſigns on which his ambition reſolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his aſſociates, of which they had good reaſon to deſpair, he expected to ſecure a band of faithful and determined adherents.

The king ſtill remained at Stirling in ſolitude and under contempt. His impatience in this ſituation, together with the alarm given him by the rumour of a deſign to ſeize his perſon, and confine him to priſon ‖, was the occaſion of his leaving Stirling in an abrupt manner, and retiring to his father at Glaſgow.

Two aſſemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the proteſtant clergy were ſuffered to languiſh. Penurious as the allotment for their ſubſiſtence was, they had not received the leaſt part of what was due for the preceding year §. Nothing leſs than a zeal, ready to endure and

* Rymer, xv. p. 110. Keith, 361, 358. Note (c). Murdin, 368. † Good. vol. i, 140. Mel. 154. ‖ Keith, Pref. viii. § Ibid. 562.

to ſuffer every thing for a good cauſe, could have perſuaded men to adhere to a church ſo indigent and ſo neglected. The extraordinary expences occaſioned by the prince's baptiſm had exhauſted the queen's treaſury, and the ſums appropriated for the ſubſiſtence of the clergy were diverted into other channels. The queen was therefore obliged to prevent the juſt remonſtrances of the aſſembly, by falling on ſome new method for the relief of the church. Some ſymptoms of liberality, ſome ſtretch towards munificence, might have been expected in an aſſignment which was made with an intention of ſoothing and ſilencing the clergy. But both the queen and the nobles held faſt the riches of the church which they had ſeized. A ſum which, at the higheſt computation, can ſcarce be reckoned equal to nine thouſand pounds ſterling *, was deemed ſufficient for the maintenance of a whole national church, by men who had lately ſeen ſingle monaſteries poſſeſſed of revenues far ſuperior in value.

The eccleſiaſtics in that age bore the grievances which affected themſelves alone with aſtoniſhing patience; but wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudeſt manner, their apprehenſions of danger. A juſt occaſion of this kind was given them a ſhort time before the meeting of the aſſembly. The uſurped and oppreſſive juriſdiction of the ſpiritual courts had been aboliſhed by the parliament in the year one thouſand five hundred and ſixty, and commiſſaries were appointed to hear and determine the cauſes which formerly came under their cognizance †. Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commiſſaries, and had given them inſtructions for directing their proceedings ‖, which are ſtill of great authority in that court. From that time theſe judges had continued in the uninterrupted exerciſe of their function, when of a ſudden the queen iſſued a proclamation, reſtoring the archbiſhop of St. Andrews to his

* Keith. 562. † Ibid. 152. ‖ Ibid. 251.

ancient jurisdiction, and depriving the commissaries of all authority§

A motive, which cannot be justified, rendered the queen not willing to venture upon this rash action. She had been contriving for some time how to re-establish the popish religion; and the restoring the ancient ecclesiastics to their former jurisdiction seemed to be a considerable step towards that end. The motive which prompted Bothwel, to whose influence over the queen this action must be chiefly imputed *, was still more criminal. His enterprising ambition had already formed that bold design, which he soon after put in execution; and the use which we shall hereafter find him making of that authority which the popish ecclesiastics regained, discovers the reasons of his present conduct, in contributing to revive their power. The protestant clergy were not unconcerned spectators of an event which threatened their religion with unavoidable destruction; but as they despaired of obtaining the proper remedy from the queen herself, they addressed a remonstrance to the whole body of the protestant nobility, full of that ardent zeal for religion, which the danger to which it was exposed at that time seemed to require †. What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature

Immediately upon the king's leaving Stirling, and before he could reach Glasgow, he was seized with a dangerous distemper. The symptoms which attended it were violent and unusual, and in that age it was commonly imputed to the effects of poison ‡. It is impossible, amidst the contradictions of historians, to decide with certainty concerning its nature or its cause¶. His

§ Knox, 403. * Ibid. † Keith, 567. ‡ Melv. 154. Knox, 401.

¶ Buchanan and Knox are positive that the king had been poisoned. They mention the black and putrid pustules which broke out all over his body. Buchanan adds, that Abernethy his physician plainly declared that poison

life was in the utmoſt danger; but after languiſhing for ſome weeks, the vigour of his conſtitution ſurmounted the malignity of the diſeaſe.

Mary's neglect of the king on this occaſion was equal to that with which he had treated her during her illneſs at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to ſympathy, and delights in all thoſe tender offices which ſoothe and alleviate ſickneſs and pain. At this juncture, ſhe did not even put on the appearance of this paſſion. Notwithſtanding the king's danger, ſhe amuſed herſelf with excurſions to different parts of the country, and ſuffered near a month to elapſe before ſhe viſited him at Glaſgow. By that time the violence of the diſtemper was over, and the king, though weak and languiſhing, was out of all danger.

The breach between Mary and her huſband was not occaſioned by any of thoſe ſlight diſguſts which interrupt the domeſtic union, without altogether diſſolving it. Almoſt all the paſſions which operate with greateſt

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was the cauſe of theſe ſymptoms, and that the queen refuſed to allow her own phyſician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Cauſin, &c. Jebb, vol. ii. 59. 214. aſſert, that the ſmall pox was the diſeaſe with which the king was ſeized. He is called a *Pockiſh man* in the queen's letter. Good. vol. ii. 14. The reaſon given by *French Paris* for lodging the king at the Kirk of Field, viz. leſt the young prince ſhould catch the infection if he ſtaid in her palace, ſeems to favour this opinion. Anderſ. vol. ii. 193. Carte mentions it as a proof of Mary's tenderneſs to her huſband, that though ſhe never had the ſmall-pox herſelf, ſhe ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not viſiting him ſooner; but Mary had the ſmall pox in her infancy. 3. Biſhop Leſly affirms, that the king's diſeaſe was the French pox. Keith, 364. Note *(b.)* In that age, this diſeaſe was eſteemed ſo contagious, that perſons infected with it were removed without the walls of cities.

violence on a female mind, and drive it to the moſt dangerous extremes, concurred in raiſing and fomenting this unhappy quarrel. Ingratitude for the favours ſhe had beſtowed, contempt of her perſon, violations of the marriage-vow, encroachments on her power, conſpiracies againſt her favourites, jealouſy, inſolence, and obſtinacy, were the injuries of which Mary had great reaſon to complain. She felt them with the utmoſt ſenſibility; and added to the anguiſh of diſappointed love, they produced thoſe ſymptoms of deſpair which we have already deſcribed Her reſentment againſt the king ſeems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambaſſador in France, juſt before ſhe ſet out for Glaſgow, no tokens of ſudden reconcilement appear. On the contrary, ſhe mentions, with ſome bitterneſs, the king's ingratitude, the jealouſy with which he obſerved her actions, and the inclination he diſcovered to diſturb her government, and at the ſame time talks of all his attempts with the utmoſt ſcorn *.

After this diſcovery of Mary's ſentiments, it was ſcarce to be expected that ſhe would viſit the king, or that any thing but marks of jealouſy and diſtruſt ſhould appear in ſuch an interview. This, however, was far from being the caſe; ſhe not only viſited Darnly, but, by all her words and actions, endeavoured to expreſs an uncommon affection for him: and though this made impreſſion on the credulous ſpirit of her huſband, no leſs flexible on ſome occaſions, than obſtinate on others; yet, to thoſe who are acquainted with the human heart, and who know how ſeldom and how ſlowly ſuch wounds in domeſtic happineſs are healed, this ſudden tranſition will appear with a very ſuſpicious air, and will be conſidered by them as the effect of artifice.

But it is not on ſuſpicion alone that Mary is charged with diſſimulation in this part of her conduct Two of her famous letters to Bothwell were written during her ſtay at Glaſgow, and fully lay open this ſcene of

* Keith, Pref. viii.

iniquity. He had ſo far ſucceeded in his ambitious and criminal deſign, as to gain an abſolute aſcendent over the queen: and in a ſituation ſuch as Mary's, merit not ſo conſpicuous, ſervices of far inferior importance, and addreſs much leſs inſinuating than Bothwell's, may be ſuppoſed to ſteal imperceptibly on a female heart, and entirely to overcome it. Among thoſe in the higher ranks of life, ſcruples with regard to conjugal fidelity are unhappily neither many nor ſtrong: nor did the manners of that court in which Mary had been educated contribute to increaſe or to fortify them. The amorous turn of Francis I. and Henry II. the wildneſs of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet acquired that delicacy of ſentiment, and thoſe poliſhed manners, which alone can render this liberty innocent, had introduced, among the French, a licentiouſneſs of morals that roſe to an aſtoniſhing height. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminiſhing that horror of vice which is natural to a virtuous mind. The king's behaviour would render the firſt approach of forbidden ſentiments leſs ſhocking; reſentment, and diſappointed love, would be apt to repreſent whatever ſoothed her revenge as juſtifiable on that account; and ſo many concurring cauſes might, almoſt imperceptibly, kindle a new paſſion in her heart.

But whatever opinion we may form with regard to the riſe and progreſs of this paſſion, the letters themſelves breathe all the ardour and tenderneſs of love. The affection which Mary there expreſſes for Bothwell fully accounts for every ſubſequent part of her conduct; which, without admitting this circumſtance, appears altogether myſterious, inconſiſtent, and inexplicable. That reconcilement with her huſband, of which, if we allow it to be genuine, it is impoſſible to give any plauſible account, is diſcovered by the queen's own confeſſion to have been mere artifice and deceit. As her averſion for her huſband, and the ſuſpicious attention with which ſhe obſerved his conduct, became univer-

ſally known, her ears were officiouſly filled, as is uſual in ſuch caſes, with groundleſs or aggravated accounts of his actions. By ſome ſhe was told, that the king intended to ſeize the perſon of the prince his ſon, and in his name to uſurp the government; by others ſhe was aſſured that he reſolved inſtantly to leave the kingdom; that a veſſel was hired for this purpoſe, and lay in the river Clyde ready to receive him*. The laſt was what Mary chiefly dreaded. Henry's retiring into a foreign country muſt have been highly diſhonourable to the queen, and would have entirely diſconcerted Bothwell's meaſures. While he reſided at Glaſgow, at a diſtance from her, and in that part of the kingdom where the intereſt of his family was greateſt, he might with more facility accompliſh his deſigns. In order, therefore, to prevent his executing any ſuch wild ſcheme, it was neceſſary to bring him to ſome place where he would be more immediately under her own eye. For this purpoſe, ſhe firſt employed all her art to regain his confidence, and then propoſed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have eaſier acceſs to the advice of phyſicians, and that ſhe herſelf could attend him without being abſent from her ſon†. The king was weak enough to ſuffer himſelf to be perſuaded; and being ſtill feeble, and incapable of bearing fatigue, was carried in a litter to Edinburgh.

The place prepared for his reception was a houſe belonging to the provoſt of a collegiate church, called the Kirk of Field. It ſtood almoſt upon the ſame ſpot where the houſe belonging to the principal of the univerſity now ſtands. Such a ſituation, on a riſing ground, and at that time in an open field, had all the advantages of healthful air to recommend it, but, on the other hand, the ſolitude of the place rendered it extremely proper for the commiſſion of that crime, with a view to which it ſeems manifeſtly to have been choſen.

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*Keith, Pref. viii. †Good. vol. ii. 8.

Mary continued to attend the king with the moſt aſſiduous care. She ſeldom was abſent from him through the day; ſhe ſlept two nights in the chamber under his apartment. She heaped upon him ſo many marks of tenderneſs and confidence, as in a great manner quieted thoſe ſuſpicions which had ſo long diſturbed him. But while he was fondly indulging in dreams of the return of his former happineſs, he ſtood on the very brink of deſtruction. On Sunday the ninth of February, 1567, about eleven at night, the queen left the Kirk of Field, in order to be preſent at a maſque in the palace. At two next morning, the houſe in which the king lay was blown up with gunpowder. The noiſe and ſhock which this ſudden exploſion occaſioned alarmed the whole city. The inhabitants ran to the place whence it came. The dead body of the king, with that of a ſervant who ſlept in the ſame room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruiſe or mark of violence.

Such was the unhappy fate of Henry Stewart lord Darnly, in the twenty-firſt year of his age. The indulgence of fortune, and his own external accompliſhments without any other merit, had raiſed him to an height of dignity of which he was altogether unworthy. By his folly and ingratitude, he loſt the heart of a woman who doated on him to diſtraction. His inſolence and inconſtancy alienated from him thoſe nobles who had contributed moſt zealouſly towards his elevation. His levity and caprice expoſed him to the ſcorn of the people, who once revered him as the deſcendent of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumſtances of his murder, and the ſlackneſs with which it was afterwards avenged, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwiſe no title.

Every one's imagination was at work to gueſs who had contrived and executed this execrable deed. The ſuſpicion fell, with almoſt a general conſent, on Both-

well*, and ſome reflections were thrown out as if the queen herſelf was no ſtranger to the crime. Of Bothwell's guilt there remains the fulleſt evidence that the nature of the action will admit. The queen's known ſentiments with regard to her huſband gave a great appearance of probability to the imputation with which ſhe was loaded†.

Two days after the murder, a proclamation was iſſued by the queen, offering a conſiderable reward to any perſon who ſhould diſcover thoſe who had been guilty of ſuch a horrid and deteſtable crime‡; and though Bothwell was now one of the greateſt ſubjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impoſſible to ſuppreſs the ſentiments and indignation of the people. Papers were affixed to the moſt public places of the city, accuſing him of the murder, and naming his accomplices, pictures appeared to the ſame purpoſe, and voices were heard in the middle of the night, charging him with that barbarous action. But the authors of theſe rumours did not confine their accuſations to Bothwell alone: they inſinuated that the queen herſelf was acceſſary to the crime§. This bold accuſation, which ſo directly attacked Mary's reputation, drew the attention of her council; and by engaging them in an enquiry after the authors of theſe libels, diverted them from ſearching for the murderers of the king¶. It ſcarce could be expected that Mary herſelf would be extremely ſolicitous to diſcover thoſe who had rid her of an huſband whom ſhe had ſo violently hated. It was Bothwell's intereſt, who had the ſupreme direction of this, as well as of all other affairs, to ſtifle and ſuppreſs whatever evidence ſhould be offered, and to cover, if poſſible, the whole tranſaction

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*Melv. 155. Anderſ. vol. ii. 156.

†See Diſſertation concerning the murder of Henry Darnly, and the genuineneſs of Mary's letter to Bothwell, Appendix.

‡Anderſ. vol. i. 36.

§Anderſ. vol. ii. 156.

¶Id. vol. i. 38.

under the veil of darkneſs and of ſilence. Some inquiry, however, was made, and ſome perſons called before the council: but the examination was conducted with the moſt indecent remiſſneſs, and in ſuch a manner as to let in no light upon that ſcene of guilt ‡.

It was not her own ſubjects alone who ſuſpected Mary of having been acceſſary to this unnatural crime; nor did an opinion, ſo diſhonourable to her character, owe its riſe and progreſs to the jealouſy and malice of her factious nobles. The report of the manner and circumſtances of the king's murder ſpread quickly over all Europe, and, even in that age, which was accuſtomed to deeds of violence, it excited univerſal horror. As her unhappy breach with her huſband had long been matter of public diſcourſe, the firſt conjectures which were formed with regard to his death were extremely to her diſadvantage. Her friends, at a loſs what apology to offer for her conduct, called on her to proſecute the murderers with the utmoſt diligence, and expected that the rigour of her proceedings would prove the beſt and fulleſt vindication of her innocence §.

Lennox at the ſame time incited Mary to vengeance with inceſſant importunity. This nobleman had ſhared in his ſon's diſgrace, and being treated by Mary with neglect, uſually reſided at a diſtance from court. Rouſed, however by an event no leſs ſhocking to the heart of a father, than fatal to all his ſchemes of ambition, he ventured to write to the queen, and to offer his advice with reſpect to the moſt effectual method for diſcovering and convicting thoſe who had ſo cruelly deprived him of a ſon, and her of a huſband. He urged her to proſecute thoſe who were guilty with vigour, and to bring them to a ſpeedy trial; he declared his own ſuſpicion of Bothwell, and of thoſe who were named as his accomplices; required that, out of regard to decency, and in order to encourage evidence to appear againſt them, the perſons accuſed of ſuch an

‡ Anderſ. vol. iv. part ii. 167, 168. § Keith, Pref. ix.

atrocious crime ſhould be committed to cuſtody, or at leaſt excluded from her court and preſence*.

Mary was then at Seaton, whither ſhe had retired after the burial of the king, whoſe body was depoſited among the monarchs of Scotland, in a private but decent manner†. The former part of the earl's demand could not on any pretence be eluded; and it was reſolved to bring Bothwell immediately to trial. But inſtead of confining him to any priſon, Mary admitted him into all her councils, and allowed a perſon, univerſally reputed the murderer of her huſband, to enjoy all the ſecurity, the dignity, and the power of a favourite‡. The offices which Bothwell already poſſeſſed gave him the command of all the ſouth of Scotland. The caſtle of Edinburgh, however, was a place of ſo much conſequence that he wiſhed earneſtly to have it in his own power. The queen, in order to prevail on the earl of Mar to ſurrender it, conſented to put the perſon of the young prince in his hands, and immediately beſtowed the government of that important fortreſs upon Bothwell§. So many ſteps in her conduct, inconſiſtent with all the rules of prudence and decency, muſt be imputed to an exceſs either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and ſtriking proofs ſoon appeared.

No direct evidence had yet appeared againſt Bothwell; but as time might bring to light the circumſtances of a crime in which ſo many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general ſuſpicions, and uncertain ſurmiſes, could be produced by his accuſers. For this reaſon, in a meeting of privy council held on the twenty-eighth of March, 1567, the twelfth of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal

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*Keith, 369. †Anderſ. vol. i. 23.
‡Anderſ. vol. i. 40, &c. §Anderſ. vol. i. Pref. 64. Keith, 379.

cauſes were carried on in that age required, a much longer interval, it appears from ſeveral circumſtances that this ſhort ſpace was conſiderably contracted, and that Lennox had only eleven days warning to prepare for accuſing a perſon ſo far ſuperior to himſelf both in power and in favour¶. No man could be leſs in a condition to contend with an antagoniſt who was thus ſupported. Though Lennox's paternal eſtate had been reſtored to him when he was called into Scotland, it ſeems to have been conſiderably impaired during his baniſhment. His vaſſals, while he reſided in England, had been accuſtomed to ſome degree of independence, and he had not recovered that aſcendent over them, which a feudal chief uſually poſſeſſed. He had no reaſon to expect the concurrence of any of thoſe factions into which the nobles were divided. During the ſhort period of his ſon's proſperity, he had

¶The act of privy council, appointing the day of Bothwell's trial, bears date March 28th, 1567, which happened on a Thurſday. And. vol. i. 50. The queen's warrant to the *meſſengers*, impowering them to ſummon Lennox to be preſent, is dated on the 29th Anderſ. vol. ii. 97. He was ſummoned by public proclamation at the croſs of Edinburgh on the ſame day. Ibid 100. He was ſummoned at his dwelling houſes in Glaſgow and Dumbarton on the 30th of March, the 1ſt and 2d days of April. Ibid 101. He was ſummoned at Perth, April 1ſt. Ibid. 102. Though Lennox reſided at that time forty miles from Edinburgh, the citation might have been given him ſooner. Such an unneceſſary delay affords ſome cauſe for ſuſpicion. It is true, Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the enſuing week; this gave him warning ſome days ſooner, that ſhe intended to bring on the trial without delay. But the preciſe time could not be legally or certainly known to Lennox ſooner than eleven or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were ſummoned, in caſes of treaſon, forty days previous to the trial.

taken ſuch ſteps as gave riſe to an open breach with Murray and all his adherents. The partiſans of the houſe of Hamilton were his hereditary and mortal enemies. Huntly was linked in the cloſeſt confederacy with Bothwell; and thus, to the diſgrace of the nation, Lennox ſtood alone in a cauſe where both honour and humanity called ſo loudly on his countrymen to ſecond him.

It is remarkable too, that Bothwell himſelf was preſent, and ſat as a member in that meeting of privy council, which gave directions with regard to the time and manner of his trial; and he ſtill enjoyed not only full liberty, but was received into the queen's preſence with the ſame diſtinguiſhed familiarity as formerly †.

Nothing could be a more cruel diſappointment to the wiſhes and reſentment of a father than ſuch a premature trial; every ſtep towards which ſeemed to be taken by directions from the perſon who was himſelf accuſed of the crime, and calculated on purpoſe to conceal rather than to detect his guilt. Lennox foreſaw what would be the iſſue of this mock inquiry, and with how little ſafety to himſelf, or ſucceſs to his cauſe, he could venture to appear on the day preſixed. In his former letters, though under expreſſions the moſt reſpectful, ſome ſymptoms of his diſtruſting the queen may be diſcovered. He ſpoke out now in plain language. He complained of the injury done him, by hurrying on the trial with ſuch illegal precipitation. He repreſented once more the indecency of allowing Bothwell not only to enjoy perſonal liberty, but to retain his former influence over her councils. He again required her, as ſhe regarded her own honour to give ſome evidence of her ſincerity in proſecuting the murder, by confining the perſon who was on good grounds ſuſpected to be the author of it; and till that were done he ſignified his own reſolution not to be preſent at a trial, the manner and circumſtances of which were ſo irregular and unſatisfactory *.

He ſeems, however, to have expected little ſucceſs

† Anderſ. vol. i. 50, 52. * Anderſ. vol. i. 52.

from this application to Mary; and therefore at the ſame time beſought Elizabeth to interpoſe, in order to obtain ſuch a delay as he demanded †. Nothing can be a ſtronger proof how violently he ſuſpected the one queen, than his ſubmitting to implore the aid of the other, who had treated his ſon with the utmoſt contempt, and himſelf and family with the greateſt rigour. Elizabeth, who was never unwilling to interpoſe in the affairs of Scotland, wrote inſtantly to Mary, adviſed her to delay the trial for ſome time, and urged in ſuch ſtrong terms the ſame arguments which Lennox had uſed, as might have convinced her to what an unfavourable conſtruction her conduct would be liable, if ſhe perſiſted in her preſent method of proceeding ‡.

Neither her intreaties, however, nor thoſe of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with ſuch a formidable retinue, that it would have been dangerous to condemn, and impoſſible to puniſh him. Beſides a numerous body of his friends and vaſſals aſſembled, according to cuſtom, from different parts of the kingdom, he was attended by a band of hired ſoldiers, who marched with flying colours along the ſtreets of Edinburgh §. A court of juſtice was held with the accuſtomed formalities. An indictment was preſented againſt Bothwell, and Lennox was called upon to make good his accuſation. In his name appeared Robert Cunningham, one of his dependents. He excuſed his maſter's abſence, on account of the ſhortneſs of the time, which prevented his aſſembling his friends and vaſſals, without whoſe aſſiſtance he could not with ſafety venture to ſet himſelf in oppoſition to ſuch a powerful antagoniſt. For this reaſon, he deſired the court to ſtop proceeding, and proteſted, that any ſentence which ſhould be paſſed at that time ought to be deemed illegal and void. Bothwell, on the other hand, inſiſted that the court ſhould inſtantly proceed to trial. One of Lennox's own letters, in which he craved of the queen

† Good. vol. ii. 352. ‡ Anderſ. Pref. 60. See Append. No. XIX. § Anderſ. vol. i. 135.

to profecute the murderers without delay, was produced. Cunningham's objections was over-ruled, and the jury, conſiſting of peers and barons of the firſt rank, found Bothwell not guilty of the crime.

No perſon appeared as an accuſer, not a ſingle witneſs was examined, nor any evidence produced againſt him. The jury under theſe circumſtances, could do nothing elſe but acquit him. Their verdict, however, was far from gratifying the wiſhes, or ſilencing the murmurs of the people. Every circumſtance in the trial gave grounds for ſuſpicion, and excited indignation; and the judgment pronounced, inſtead of being a proof of Bothwell's innocence, was eſteemed an argument of his guilt. Paſquinades and libels were affixed to different places, expreſſing the ſentiments of the public with the utmoſt virulence of language.

The jury themſelves ſeem to have been aware of the cenſure to which their proceedings would be expoſed; and, at the ſame time that they returned their verdict acquitting Bothwell, the earl of Caithneſs proteſted, in their name, that no crime ſhould be imputed to them on that account, becauſe no accuſer had appeared, and no proof was brought of the indictment. He took notice likewiſe, that the ninth inſtead of the tenth of February, was mentioned in the indictment, as the day on which the murder had been committed: a circumſtance which diſcovers the extreme inaccuracy of thoſe who prepared the indictment; and at a time when men were diſpoſed, and not without reaſon, to be ſuſpicious of every thing, this ſmall matter contributed to confirm and to increaſe their ſuſpicions ‡.

Even Bothwell himſelf did not rely on the judgment which he had obtained in his favour, as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a cuſtom which was not then obſolete, publiſhed a writing, in which he offered to fight in ſingle combat any gentleman of good fame who ſhould preſume to accuſe him of being acceſſary to the murder of the king.

‡ Bothw. Trial, Anderſ. vol. ii. 97. &c.

Mary, however, continued to treat him as if he had been cleared by the moſt unexceptionable and ſatisfactory evidence The aſcendent he had gained over her heart, as well as over her councils, was more viſible than ever; and Lennox, who could not expect that his own perſon could be ſafe in a country where the murderer of his ſon had been abſolved, without regard to juſtice; and loaded with honours, in contempt of decency, fled with precipitation towards England ‖.

Two days after the trial, a parliament was held, at the opening of which the queen diſtinguiſhed Bothwell, by appointing him to carry the ſceptre before her *. Moſt of the acts paſſed in this aſſembly, were calculated on purpoſe to ſtrengthen his party, and to promote his deſigns. He obtained the ratification of all the poſſeſſions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the ſtrongeſt declarations of his faithful ſervices to the crown, in all times paſt. The ſurrender of the caſtle of Edinburgh by Mar was confirmed. The law of attainder againſt Huntly was repealed, and he, and his adherents, were reſtored to the eſtates and honours of their anceſtors. Several of thoſe who had been on the jury which acquitted Bothwell, obtained the ratifications of the grants made in their favour. And as paſquinades daily multiplied, a law paſſed, whereby thoſe, into whoſe hands any paper of that kind fell, were commanded inſtantly to deſtroy it; and if, through their neglect, it ſhould be allowed to ſpread, they were ſubjected to a capital puniſhment, in the ſame manner, as if they had been the original authors †.

But the abſolute dominion, which Bothwell had acquired over Mary's mind, appeared in the cleareſt manner, by an act in favour of the proteſtant religion, to which, at this time, ſhe gave her aſſent. Mary's attachment to the Romiſh faith was uniform and ſuperſtitious; ſhe had never laid aſide the deſign, nor loſt the hopes of reſtoring it. She had, of late, come under new engagements to that purpoſe, and in conſequence

‖ Keith, 378. Note (*d.*) * Id. Ibid. † Ibid. 380.

of theſe, had ventured upon ſome ſteps more public and vigorous than any ſhe had formerly taken. But, Bothwell was prompted, by powerful motives to promote this law. He had been guilty of crimes, which rendered him the object of juſt and univerſal deteſtation. He was meditating others, which he eaſily foreſaw would heighten the public indignation againſt him. By this popular law, he might hope to divert, or to delay the reſentment of the nation, and flattered himſelf, that the obtaining this unexpected and legal ſecurity for the proteſtant religion, would atone for much guilt, ſilence the clamours of the clergy, and induce the people to connive at, or to tolerate his crimes. The act itſelf was ſo favourable to the doctrine of the reformers, that the parliament, which met next year, under very different leaders, could ſubſtitute nothing ſtronger or more explicit in its place; and thought it ſufficient to ratify it word for word †. To paſs ſuch an act, was utterly inconſiſtent with all the maxims which Mary followed in every other period of her life; but what could never be extorted from her by the ſolicitations of the aſſemblies of the church, or by the entreaties of her people, the more powerful influence of Bothwell now obtained ‡.

Every ſtep taken by Bothwell had hitherto been at-

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†Parl. I. Jac. VI. c. 31.

‡Buchanan, Hiſt. 355, not only omits taking any notice of this law, but aſſerts, that the queen, though ſhe had given promiſes in favour of the reformed religion, refuſed to permit any act to paſs in ſupport of it, and even diſmiſſed the deputies of the church with contempt. Spotſw. 202. and Calderwood, vol. iii. 41. both affirm the ſame thing. It would not have been neceſſary to obſerve this inſtance of Buchanan's inaccuracy; but that an author ſo converſant in our laws as Spotſwood, and one ſo induſtrious as Calderwood, ſhould commit ſuch an error, when a printed act of parliament to the contrary was before their eyes, is remarkable. Even Buchanan himſelf has taken notice of this act, Detectio, p. 8.

tended with all the ſucceſs which his moſt ſanguine wiſhes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion: he had been acquitted by his peers of any ſhare in that crime; and their deciſion had been in ſome ſort ratified in parliament. But in a kingdom where the regal authority was ſo extremely limited, and the power of the nobles ſo formidable, he durſt not venture on the laſt action, towards which all his ambitious projects tended, without their approbation. In order to ſecure this, he, immediately after the diſſolution of parliament, invited all the nobles who were preſent to an entertainment. Having filled the houſe with his friends and dependents, and ſurrounded it with armed men§, he opened to the company his intention of marrying the queen, whoſe conſent, he told them, he had already obtained; and demanded their approbation of this match, which, he ſaid, was no leſs acceptable to their ſovereign, than honourable to himſelf¶. Huntly and Seaton, who were privy to all Bothwell's ſchemes, and promoted them with the utmoſt zeal; the popiſh eccleſiaſtics, who were abſolutely devoted to the queen, and ready to ſoothe all her paſſions; inſtantly declared their ſatisfaction with what he had propoſed. The reſt, who dreaded the exorbitant power which Bothwell had acquired, and obſerved the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a meaſure which they could neither oppoſe nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promiſes and flattery, partly by terror and force, prevailed on all who were preſent to ſubſcribe a paper, which leaves a deeper ſtain than any occurrence in that age on the honour and character of the nation.

This paper contained the ſtrongeſt declarations of Bothwell's innocence, and the moſt ample acknowledgment of his good ſervices to the kingdom. If any future accuſation ſhould be brought againſt him on

§ Good. vol. ii. 141. ¶ Anderſ. vol. i. 94.

account of the king's murder, the ſubſcribers promiſed to ſtand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the moſt proper perſon ſhe could chuſe for a huſband; and if ſhe could condeſcend to beſtow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in oppoſing any perſon who endeavoured to obſtruct it*. Among the ſubſcribers of this paper we find ſome who were the queen's chief confidents, others who were ſtrangers to her councils, and obnoxious to her diſpleaſure; ſome who faithfully adhered to her through all the viciſſitudes of her fortune, and others who became the principal authors of her ſufferings; ſome paſſionately attached to the Romiſh ſuperſtition, and others zealous advocates for the proteſtant faith†. No common intereſt can be ſuppoſed to have united men of ſuch oppoſite principles and parties, in recommending to their ſovereign a ſtep ſo injurious to her honour, and ſo fatal to her peace. This ſtrange coalition was the effect of much artifice, and muſt be conſidered as the boldeſt and moſt maſterly ſtroke of Bothwell's addreſs. It is obſervable, that amidſt all the altercations and mutual reproaches of the two parties which aroſe in the kingdom, this unworthy tranſaction is ſeldom mentioned. Conſcious on both ſides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, ſeeming deſirous that it ſhould remain in darkneſs, or be buried in oblivion. But as ſo many perſons who, both at that time, and ever after, poſſeſſed the queen's favour, ſubſcribed this paper, the ſuſpicion becomes ſtrong, that Bothwell's ambitious hopes were neither unknown to Mary nor diſapproved by her §.

*Anderſ. vol. i. 177. †Keith, 382.

§ Of all the different ſyſtems with regard to this tranſaction, that of Camden ſeems to be the leaſt accurate, and the worſt founded. He ſuppoſes that Bothwell

Theſe ſuſpicions are confirmed by the moſt direct proof. Melvil at that time enjoyed a conſiderable ſhare in her favour. He, as well as his brother, kept a ſecret correſpondence in England with thoſe who favoured her pretenſions to that crown. The rumour of her intended marriage with Bothwell having early ſpread in that kingdom, excited univerſal indignation; and Melvil

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was hated by Murray, Morton, &c. who had been his aſſociates in the murder of the king, and that they now wanted to ruin him. He affirms, at the ſame time, that the ſubſcriptions to this paper were obtained by them out of fear that Bothwell might ſink in his hopes, and betray the whole bloody ſecret, 404. But beſides the abſurdities of ſuppoſing that any man's enemies would contribute towards raiſing him to ſuch high dignity, on the uncertain hopes of being able afterwards to deprive him of it; beſides the impoſſibility of accompliſhing ſuch a marriage, if it had been either unknown to the queen, or diſagreeable to her; we may obſerve that this ſuppoſition is deſtroyed by the direct teſtimony of the queen herſelf, who aſcribes the conſent of the nobles to Bothwell's artifices, *who purchaſed it by giving them to underſtand that we were content therewith.* Anderſ. vol. i. 94, 99. It would have been no ſmall advantage to Mary, if ſhe could have repreſented the conſent of the nobles to have been their own voluntary deed. It is ſtill more ſurpriſing to find Leſly aſcribing this paper to Murray and his faction. Anderſ vol. i. 26. The biſhop himſelf was one of the perſons who ſubſcribed it. Keith, 383. The king's commiſſioners, at the conference held at York 1568, pretended that none of the nobles, except the earl of Huntly, would ſubſcribe this paper till a warrant from the queen was produced, by which they were allowed to do ſo: this warrant they had in their cuſtody, and exhibited. Anderſ. vol. iv. part 2. 5. This differs from Buchanan's account, who ſuppoſes that all the nobles preſent ſubſcribed this paper on the 19th, and that next day they obtained the approbation of what they had done, by way of ſecurity to themſelves, 355.

received a letter from thence, which repreſented, in the ſtrongeſt terms, what would be the fatal effects of ſuch an imprudent ſtep. Melvil put this letter into the queen's hands, and enforced it with the utmoſt warmth. She not only diſregarded theſe remonſtrances, but communicated the matter to Bothwell; and Melvil, in order to ſave his life, was obliged to fly from court, whither he durſt not return till the earl's rage began to abate *. At the ſame time Elizabeth warned Mary of the danger and infamy to which ſhe ſhould expoſe herſelf by ſuch an indecent choice: but an advice from her met with ſtill leſs regard †.

Three days after the riſing of parliament Mary went from Edinburgh to Stirling, in order to viſit the prince her ſon. Bothwell had now brought his ſchemes to

* Melv. 156. According to Melvil, Lord Herries likewiſe remonſtrated againſt the marriage, and conjured the queen, on his knees, to lay aſide all thoughts of ſuch a diſhonourable alliance, 156. But it has been obſerved, that Herries is one of the nobles who ſubſcribed the bond, April 19 Keith, 383. 2. That he is one of the witneſſes to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he ſat in council with Bothwell, May 17. Keith, 386. But this remonſtrance of Lord Herries againſt the marriage happened before thoſe made by Melvil himſelf, 157. Melvil's remonſtrance muſt have happened ſome time before the meeting of parliament; for after offending Bothwell, he retired from court; he allowed his rage time to ſubſide, and had again joined the queen when ſhe was ſeized, April 24. 158. The time which muſt have elapſed, by this account of the matter, was perhaps ſufficient to have gained Herries from being an oppoſer to become a promoter of the marriage. Perhaps Melvil may have committed ſome miſtake with regard to this fact, ſo far as relates to lord Herries He could not well be miſtaken with regard to what himſelf did.

† Anderſ. vol. i. 106.

full maturity, and every precaution being taken which could render it ſafe to enter on the laſt and deciſive ſtep, the natural impetuoſity of his ſpirit did not ſuffer him to deliberate any longer. Under pretence of an expedition againſt the freebooters on the borders, he aſſembled his followers; and marching out of Edinburgh with a thouſand horſe, turned ſuddenly towards Linlithgow, met the queen on her return near that place, diſperſed her ſlender train without reſiſtance, ſeized on her perſon, and conducted her, together with a few of her courtiers as a priſoner to his caſtle at Dunbar. She expreſſed neither ſurpriſe, nor terror, nor indignation, at ſuch an outrage committed on her perſon, and ſuch an inſult offered to her authority, but ſeemed to yield without ſtruggle or regret †. Melvil was at that time one of her attendants; and the officer by whom he was ſeized, informed him that nothing was done without the queen's own conſent ¶. If we may rely on the letters publiſhed in Mary's name, the ſcheme had been communicated to her, and every ſtep towards it was taken with her participation and advice ‖.

Both the queen and Bothwell thought it of advantage to employ this appearance of violence. It afforded her a decent excuſe for her conduct; and while ſhe could plead that it was owing to force rather than choice, ſhe hoped that her reputation among foreigners at leaſt, would eſcape without cenſure, or be expoſed to leſs reproach. Bothwell could not help diſtruſting all the methods which had hitherto been uſed for vindicating him from any concern in the murder of the king. Something was ſtill wanting for his ſecurity, and for quieting his guilty fears. This was a pardon under the great ſeal. By the laws of Scotland the moſt heinous crime muſt be mentioned by name in a pardon, and then all leſſer offences are deemed to be included under the general clauſe, *and all other crimes whatſoever* §. To ſeize the perſon of the prince is high

† Keith, 383 ¶ Melv. 158. ‖ Good. vol. ii. 37.
§ Parl. 6. Jac. IV. c. 62.

treaſon; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accuſed *.

Bothwell having now got the queen's perſon into his hands, it would have been unbecoming either a politician or a man of gallantry to have delayed conſummating his ſchemes. For this purpoſe, he inſtantly commenced a ſuit, in order to obtain a ſentence of divorce from his own wife Lady Jean Gordon, the earl of Huntly's ſiſter. This proceſs was carried on, at the ſame time, both before proteſtant and popiſh judges; before the former, in the court of commiſſaries; and before the latter, in the ſpiritual court of the archbiſhop of St. Andrews, whoſe juriſdiction the queen had lately reſtored. The pretexts which he pleaded were trivial or ſcandalous. But his authority had greater weight than the juſtice of his cauſe; and in both courts, ſentence of divorce was pronounced, with the ſame indecent and ſuſpicious precipitancy †.

While this infamous tranſaction was carrying on, the queen reſided at Dunbar; detained as a priſoner, but treated with the utmoſt reſpect. Soon after Bothwell, with a numerous train of his dependents, conducted her to Edinburgh; but, inſtead of lodging her in the palace of Holyrood-houſe, he conveyed her to the caſtle, of which he was governor. The diſcontent of the nation rendered this precaution neceſſary. In an houſe unfortified, and of eaſy acceſs, the queen might have have been reſcued without difficulty out of his hands. In a place of ſtrength ſhe was ſecured from all the attempts of his enemies.

One ſmall difficulty ſtill remained to be ſurmounted. As the queen was kept in a ſort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary appeared in the court of ſeſſion, and, in preſence of the chancellor and other judges, and ſeveral of the nobility, declared that ſhe was now at full

* Anderſ. vol. iv. part ii. 61. † Ibid. 132.

liberty; and though Bothwell's violence in seizing her person had at first excited her indignation, yet his respectful behaviour since that time had not only appeased her resentment, but determined her to raise him to higher honours *.

What these were soon became public. The title of duke of Orkney was conferred upon Bothwell; and on the fifteenth of May his marriage with the queen, which had so long been the object of his wishes, and the motive of his crimes, was solemnized. The ceremony was performed in public, according to the rites of the protestant church, by Adam Bothwell, bishop of Orkney, one of the few prelates who had embraced the Reformation, and on the same day was celebrated in private, according to the forms prescribed by the popish religion †. The boldness with which Craig, the minister who was commanded to publish the banns, testified against the design; the small number of the nobles who were present at the marriage; and the sullen and disrespectful silence of the people when the queen appeared in public; were manifest symptoms of the violent and general dissatisfaction of her own subjects. The refusal of Le Croc, the French ambassador, to be present at the nuptial ceremony or entertainment, discovers the sentiments of her allies with regard to this part of her conduct; and although every other action in Mary's life could be justified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an incontestable proof of her rashness, if not of her guilt.

Mary's first care was to offer some apology for her conduct to the courts of France and England. The instructions to her ambassadors still remain, and are drawn by a masterly hand. But under all the artificial and false colouring she employs, it is easy to discover, not only that many of the steps she had taken were unjustifiable, but that she herself was conscious that they could not be justified ‡.

The title of king was the only thing which was not

* And. i. 87. † Id. 136. ii. 276. ‡ And. i. 89.

beſtowed upon Bothwell. Notwithſtanding her attachment to him, Mary remembered the inconveniencies which had ariſen from the raſh advancement of her former huſband to that honour She agreed, however, that he ſhould ſign, in token of conſent, all the public writs iſſued in her name*. But though the queen withheld from him the title of king, he poſſeſſed all the reality of power. The queen's perſon was in his hands; ſhe was ſurrounded more cloſely than ever by his creatures; none of her ſubjects could obtain audience without his permiſſion; and, unleſs in his own preſence, none but his confidents were permitted to converſe with her†. The Scottiſh monarchs were accuſtomed to live among their ſubjects as fathers or as equals, without diſtruſt, and with little ſtate; armed guards ſtanding at the doors of the royal apartment, difficulty of acceſs, diſtance and retirement, were things unknown and unpopular.

Theſe precautions were neceſſary for ſecuring to Bothwell the power which he had acquired. But, without being maſter of the perſon of the young prince, he eſteemed all that he had gained to be precarious and uncertain. The queen had committed her ſon to the care of the earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was ſo violently ſuſpected of having murdered his father. Bothwell, however laboured to get the prince into his power, with an anxiety which gave riſe to the blackeſt ſuſpicions. All his addreſs, as well as authority, were employed to perſuade, or to force Mar into a compliance with his demands¶. And it is no ſlight proof, both of the firmneſs and dexterity of that nobleman, that he preſerved a life of ſo much importance to the nation, from lying at the mercy of a man, whom fear or ambition might have prompted to violent attempts againſt it.

The eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened

* Good ii. 60. † And. i. 36. ¶ Melv. 166. Buch. 361

in Scotland during three months: a king murdered with the utmoſt cruelty, in the prime of his days, and in his capital city; the perſon ſuſpected of that odious crime ſuffered not only to appear publicly in every place, but admitted into the preſence of the queen, diſtinguiſhed by her favour, and intruſted with the chief direction of her affairs; ſubjected to a trial which was carried on with moſt ſhameleſs partiality, and acquitted by a ſentence which ſerved only to confirm the ſuſpicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and after all this, inſtead of meeting with the ignominy due to his actions, or the puniſhment merited by his crimes, permitted openly, and without oppoſition, to marry a queen, the wife of the prince whom he had aſſaſſinated, and the guardian of thoſe laws which he had been guilty of violating. Such a quick ſucceſſion of incidents, ſo ſingular and ſo deteſtable, is not to be found in any other hiſtory. They left, in the opinion of foreigners, a mark of infamy, on the character of the nation. The Scots were held in abhorrence all over Europe; they durſt ſcarce appear any where in public; and after ſuffering ſo many atrocious deeds to paſs with impunity, they were univerſally reproached as men void of courage, or of humanity, as equally regardleſs of the reputation of their queen and the honour of their country ‡.

Theſe reproaches rouſed the nobles, who had been hitherto amuſed by Bothwell's artifices, or intimidated by his power. The manner in which he exerciſed the authority which he acquired, his repeated attempts to become maſter of the prince's perſon, together with ſome raſh threatenings againſt him, which he let fall ¶, added to the violence and promptneſs of their reſolutions. A conſiderable body of them aſſembled at Stirling, and entered into an aſſociation for the defence of the prince's perſon. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindſay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the ſecre-

‡ Anderſ. vol. i. 128, 134. Melv. 163. See Append. No. XXI. ¶ Melv. 161.

tary, were the heads of this confederacy*. Stewart earl of Athol was remarkable for an uniform and bigotted attachment to popery; but his indignation on account of the murder of the king, to whom he was nearly allied, and his zeal for the ſafety of the prince, overcame, on this occaſion, all conſiderations of religion, and united him with the moſt zealous proteſtants. Several of the other nobles acted, without queſtion, from a laudable concern for the ſafety of the prince and the honour of their country. But the ſpirit which ſome of them diſcovered during the ſubſequent revolutions, leaves little room to doubt that ambition or reſentment were the real motives of their conduct; and that, on many occaſions, while they were purſuing ends juſt and neceſſary, they were actuated by principles and paſſions altogether unjuſtifiable.

The firſt accounts of this league filled the queen and Bothwell with great conſternation. They were no ſtrangers to the ſentiments of the nation with reſpect to their conduct; and though their marriage had not met with public oppoſition, they knew that it had not been carried on without the ſecret diſguſt and murmurings of all ranks of men. They foreſaw the violence with which this indignation would burſt out, after having been ſo long ſuppreſſed; and in order to prepare for the ſtorm, Mary iſſued a proclamation, requiring her ſubjects to take arms, and to attend her huſband by a day appointed. At the ſame time, ſhe publiſhed a ſort of manifeſto, in which ſhe laboured to vindicate her government from thoſe imputations which it had been loaded with, and employed the ſtrongeſt terms to expreſs her concern for the ſafety and welfare of the prince her ſon. Neither of theſe produced any conſiderable effect. Her proclamation was ill obeyed, and her manifeſto met with little credit†.

The confederate lords carried on their preparations with no leſs activity, and with much more ſucceſs. Among a warlike people, men of ſo much power and po-

*Keith, 394. †Keith, 387, 395, 396.

pularity found it an eaſy matter to raiſe an army. They were ready to march, before the queen and Bothwell were in a condition to reſiſt them. The caſtle of Edinburgh was the place whither the queen ought naturally to have retired, and there her perſon might have been perfectly ſafe. But the confederates had fallen on means to ſhake or corrupt the fidelity of ſir James Balfour, the deputy-governor, and Bothwell durſt not commit to him ſuch an important truſt. He conducted the queen to the caſtle of Borthwick, and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen diſguiſed in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town againſt them. They entered without oppoſition, and were inſtantly joined by many of the citizens, whoſe zeal became the firmeſt ſupport of their cauſe ‖.

In order to ſet their own conduct in the moſt favourable light, and to rouſe the public indignation againſt Bothwell, the nobles publiſhed a declaration of the motives which had induced them to take arms. All Bothwell's paſt crimes were enumerated, all his wicked intentions diſplayed and aggravated, and every true Scotſman was called upon to join them in avenging the one and in preventing the other §.

Mean while Bothwell aſſembled his forces at Dunbar, and as he had many dependents in that corner, he ſoon gathered ſuch ſtrength, that he ventured to advance towards the confederates. Their troops were not numerous; the ſuddenneſs and ſecrecy of their enterpriſe gave their friends at a diſtance no time to join them; and as it does not appear they were ſupported either with money or fed with hopes by the queen of England, they could not have kept long in a body. But on the other hand, Bothwell durſt not riſk a delay †. His army followed him with reluctance in this quarrel, and ſerved him with no cordial affection; ſo that his only hope of

‖ Keith, 398. § Anderſ. vol. i. 128. † Keith, 401.

ſucceſs was in ſurpriſing the enemy, or in ſtriking the blow before his own troops had leiſure to recollect themſelves, or to imbibe the ſame unfavourable opinion of his actions which had ſpread over the reſt of the nation. Theſe motives determined the queen to march forward, with an inconſiderate and fatal ſpeed.

On the firſt intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almoſt on the ſame ground which the Engliſh had poſſeſſed at the battle of Pinkie. The numbers on both ſides were nearly equal; but there was no equality in point of diſcipline. The queen's army conſiſted chiefly of a multitude, haſtily aſſembled, without courage or experience in war. The troops of the confederates were compoſed of gentlemen of rank and reputation, followed by their moſt truſty dependents, who were no leſs brave than zealous †.

Le Croc the French ambaſſador, who was in the field, laboured, by negotiating both with the queen and the nobles, to put an end to the quarrel without the effuſion of blood. He repreſented to the confederates the queen's inclinations towards peace, and her willingneſs to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not againſt the queen, but againſt the murderer of her huſband; and if he were given up to juſtice, or baniſhed from her preſence, ſhe ſhould find them ready to yield the obedience which is due from ſubjects to their ſovereign. Glencairn added, that they did not come to aſk pardon for any offence, but to puniſh thoſe who had offended. Theſe haughty anſwers convined the ambaſſador that his mediation would be ineffectual, and that their paſſions were too high to allow them to liſten to any pacific propoſitions, or to think of retreating after having proceeded ſo far ‖.

The queen's army was poſted to advantage, on a riſing ground. The confederates advanced to the attack reſolutely, but ſlowly, and with the caution which was natural on that unhappy field. Her troops were alarm,

† Cald. vol ii. 48, 49. ‖ Keith, 401.

ed at their approach, and discovered no inclination to fight. Mary endeavoured to animate them; she wept, she threatened, she reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest stood wavering and irresolute, and some began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in single combat with any of his adversaries. Kirkaldy of Grange, Murray of Tullibardin, and lord Lindsay, contended for the honour of entering the lists against him. But this challenge proved to be a mere bravado. Either the consciousness of guilt deprived Bothwell of his wonted courage, or the queen by her authority, forbad the combat*.

After the symptoms of fear discovered by her followers, Mary would have been inexcusable had she hazarded a battle. To have retreated in the face of an enemy who had already surrounded the hill on which she stood with part of their cavalry, was utterly impracticable. In this situation, she was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy He, with the consent and in the name of the leaders of the party, promised that, on condition she would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their sovereign†.

During this parley, Bothwell took his last farewel of the queen, and rode off the field with a few followers. This dismal reverse happened exactly one month after that marriage which had cost him so many crimes to accomplish, and which leaves so foul a stain on Mary's memory.

As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her towards the confederate army, the leaders of which received her with much re-

* Cald. vol. ii. 50. † Good. vol. ii. 164. Melv. 165.

ſpect; and Morton, in their name, made ample profeſſions of their future loyalty and obedience*. But ſhe was treated by the common ſoldiers with the utmoſt inſolence and indignity. As ſhe marched along, they poured upon her all the opprobious names which are beſtowed only on the loweſt and moſt infamous criminals. Wherever ſhe turned her eyes, they held up before her a ſtandard, on which was painted the dead body of the late king, ſtretched on the ground, and the young prince kneeling before it, and uttering theſe words, "Judge and revenge my cauſe, O Lord!" Mary turned with horror from ſuch a ſhocking ſight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the moſt bitter complaints, ſhe melted into tears, and could ſcarce be kept from ſinking to the ground. The confederates carried her towards Edinburgh; and in ſpite of many delays, and after looking, with the fondneſs and credulity natural to the unfortunate, for ſome extraordinary relief, ſhe arrived there. The ſtreets were covered with multitudes, whom zeal or curioſity had drawn together, to behold ſuch an unuſual ſcene. The queen, worn out with fatigue, covered with duſt, and bedewed with tears, was expoſed as a ſpectacle to her own ſubjects, and led to the provoſt's houſe. Notwithſtanding all her arguments and intreaties, the ſame ſtandard was carried before her, and the ſame inſults and reproaches repeated†. A woman, young, beautiful, and in diſtreſs, is naturally the object of compaſſion. The compariſon of their preſent miſery with their former ſplendour, uſually ſoftens us in favour of illuſtrious ſufferers. But the people beheld the deplorable ſituation of their ſovereign with inſenſibility; and ſo ſtrong was their perſuaſion of her guilt, and ſo great the violence of their indignation, that the ſufferings of their queen did not, in any degree, mitigate their reſentment, or procure her that ſympathy which is ſeldom denied to unfortunate princes.

* Good. vol. ii. 165. † Melv. 166. Buch. 364.

END OF VOLUME FIRST.

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